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LEGISLATIVE HISTORY

Public Law 78—82nd Congress

Chapter 223—1st Session

S. 984

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DIGEST OF PUBLIC LAW 78

AMENDS THE AGRICULTURAL ACT OF 1949. Amends the Agricultural Act of 1949 by adding at the end thereof a new title to read; "Title V-Agricultural Workers" for the purpose of assisting in such production of agricultural commodities and products as the Secretary of Agriculture deems necessary, by supplying agricultural workers from the Republic of Mexico (pursuant to arrangements between the United States and the Republic of Mexico).

The Secretary of Labor is authorized to (1) recruit such workers; (2) establish and operate reception centers; (3) to provide transportation for such workers from recruitment centers outside the continental United States to such reception centers and return transportation after termination of employment; (4) to provide such workers with such subsistence, emergency medical care, and burial expenses (not to exceed \$150 burial expenses in any one case) while workers are at reception centers; (5) to assist such workers and employers in negotiating contracts for agricultural employment; (6) to guarantee the performance by employers of provisions of such contracts relating to the payment of wages or the furnishing of transportation.

INDEX AND SUMMARY OF HISTORY ON S. 984

February 27, 1951	S. 984 was introduced by Sen. Ellender and was referred to the Committee on Agriculture and Forestry. Print of Bill as introduced.
	Remarks of author.
March 13, 1951	Hearings:
April 11, 1951	Reported with amendments. (S. Report 214). Print of bill as reported.
April 25, 1951	Made unfinished business.
April 26, 1951	Began debate
April 27, 1951	Continued debate
April 30, 1951	Continued debate
May 1, 1951	Continued debate
May 2, 1951	Continued debate
May 4, 1951	Continued debate
May 7, 1951	Passed Senate with amendments. Print of bill as passed by the Senate.
June 27, 1951	Passed House with language of H.R. 3283 inserted.
June 28, 1951	House and Senate conferees appointed.
June 29, 1951	Conferees agreed to file report.
June 30, 1951	Both Houses agreed to Conference Report. House Report 668.
July 12, 1951	Approved. Public Law 78.
July 13, 1951	House Document 192. President's message.

2. 2. 27

S. 984

A. 9184

82^D CONGRESS
1ST SESSION

S. 984

IN THE SENATE OF THE UNITED STATES

FEBRUARY 27 (legislative day, JANUARY 29), 1951

Mr. ELLENDER introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To amend the Agricultural Act of 1949.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Agricultural Act of 1949 is amended by adding
4 at the end thereof a new title to read as follows:

5 "TITLE V—AGRICULTURAL WORKERS

6 "SEC. 501. For the purpose of assisting in such pro-
7 duction of agricultural commodities and products as the
8 Secretary of Agriculture deems necessary, by supplying
9 agricultural workers from foreign countries within the West-
10 ern Hemisphere (pursuant to arrangements between the
11 United States and such countries) or from Hawaii or Puerto
12 Rico, the Secretary of Labor is authorized—

1 “(1) to recruit such workers (including any such
2 workers temporarily in the United States) ;

3 “(2) to establish and operate reception centers at
4 or near the places of actual entry of such workers into
5 the continental United States for the purpose of receiv-
6 ing and housing such workers while arrangements are
7 being made for their employment in, or departure from,
8 the continental United States;

9 “(3) to provide transportation for such workers
10 from recruitment centers outside the continental United
11 States to such reception centers and transportation from
12 such reception centers to such recruitment centers after
13 termination of employment;

14 “(4) to provide such workers with such subsist-
15 ence, emergency medical care, and burial expenses (not
16 exceeding \$150 burial expenses in any one case) as may
17 be or become necessary during transportation authorized
18 by paragraph (3) and while such workers are at recep-
19 tion centers;

20 “(5) to assist such workers and employers in ne-
21 gotiating contracts for agricultural employment (such
22 workers being free to accept or decline agricultural
23 employment with any eligible employer and to choose
24 the type of agricultural employment they desire, and
25 eligible employers being free to offer agricultural em-

1 ployment to any workers of their choice not under con-
2 tract to other employers) ;

3 “ (6) to guarantee the performance by employers
4 of provisions of such contracts relating to the payment
5 of wages or the furnishing of transportation.

6 “SEC. 502. No workers shall be made available under
7 this title to any employer unless such employer enters into
8 an agreement with the United States—

9 “ (1) to indemnify the United States against loss
10 by reason of its guaranty of such employer's contracts ;

11 “ (2) to reimburse the United States for expenses
12 incurred by it in the recruitment and transportation of
13 workers under this title in such amounts, not to exceed
14 \$20 per worker, as may be agreed upon by the United
15 States and such employer ; and

16 “ (3) to pay to the United States, in any case in
17 which a worker is not returned to the reception center
18 in accordance with the contract entered into under section
19 501 (5), an amount determined by the Secretary of
20 Labor to be equivalent to the cost of returning such
21 worker from the place of employment to such reception
22 center, less any portion thereof required to be paid by
23 other employers.

24 “SEC. 503. No workers recruited under this title shall be
25 available for employment in any area unless the Director of

1 State Employment Security for such area has determined and
2 certified that (1) sufficient domestic workers who are able,
3 willing, and qualified are not available at the time and place
4 needed to perform the work for which such workers are to
5 be employed, and (2) the employment of such workers will
6 not adversely affect the wages and working conditions of
7 domestic agricultural workers similarly employed.

8 "SEC. 504. Workers recruited under this title who are
9 not citizens of the United States shall be admitted to the
10 United States subject to the immigration laws (or if already
11 in, and otherwise eligible for admission to, the United States
12 shall be permitted to remain therein) for such time and under
13 such conditions as may be specified by the Attorney General
14 but, notwithstanding any other provision of law or regulation,
15 no penalty bond shall be required which imposes liability
16 upon any person for the failure of any such worker to depart
17 from the United States upon termination of employment.

18 "SEC. 505. (a) Section 210 (a) (1) of the Social
19 Security Act, as amended, is amended by adding at the end
20 thereof a new subparagraph as follows:

21 "(C) Service performed by foreign agricultural
22 workers under contracts entered into in accordance with
23 title V of the Agricultural Act of 1949, as amended.'

24 "(b) Section 1426 (b) (1) of the Internal Revenue

1 Code, as amended, is amended by adding at the end thereof
2 a new subparagraph as follows:

3 “(C) Service performed by foreign agricultural
4 workers under contracts entered into in accordance with
5 title V of the Agricultural Act of 1949, as amended.’

6 “(c) Workers recruited under the provisions of this title
7 shall not be subject to the head tax levied under section 2
8 of the Immigration Act of 1917 (8 U. S. C., sec. 132).

9 “SEC. 506. For the purposes of this title, the Secretary
10 of Labor is authorized—

11 “(1) to enter into agreements with Federal and
12 State agencies; to utilize (pursuant to such agreements)
13 the facilities and services of such agencies; and to allo-
14 cate or transfer funds or otherwise to pay or reimburse
15 such agencies for expenses in connection therewith;

16 “(2) to accept and utilize voluntary and uncom-
17 pensated services; and

18 “(3) when necessary to supplement the domestic
19 agricultural labor force, to cooperate with the Secretary
20 of State in negotiating and carrying out agreements or
21 arrangements relating to the employment in the United
22 States, subject to the immigration laws, of agricultural
23 workers from foreign countries within the Western
24 Hemisphere.

1 “SEC. 508. For the purposes of this title—

2 “(1) The term ‘agricultural employment’ includes
3 services or activities included within the provisions of
4 section 3 (f) of the Fair Labor Standards Act of 1938,
5 as amended, or section 1426 (h) of the Internal Reve-
6 nue Code, as amended, horticultural employment, cotton
7 ginning and compressing, crushing of oil seeds, and the
8 packing, canning, freezing, drying, or other processing
9 of perishable or seasonable agricultural products.

10 “(2) The term ‘employer’ includes associations or
11 other groups of employers.

12 “SEC. 509. No workers shall be made available under
13 this title for employment after December 31, 1952.”

82ND CONGRESS
1ST SESSION

S. 984

A BILL

To amend the Agricultural Act of 1949.

By Mr. ELLENDER

FEBRUARY 27 (legislative day, JANUARY 29), 1951
Read twice and referred to the Committee on
Agriculture and Forestry

DIGEST

OF

CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Division of Legislative Reports
(For Department staff only)

Issued Feb. 28, 1951
For actions of Feb. 27, 1951
82nd-1st, No. 35

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HIGHLIGHTS: Senate debated military training bill. Senate received nomination of Ramspeck to be a Civil Service Commissioner. House Rules Committee reported resolution to authorize Agriculture Committee to investigate agricultural mobilization. Rep. Cannon spoke in favor of "one-package" appropriation bill and discussed subcommittee ratios with Rep. Martin. Sen. Ellender introduced and discussed bill for importation of farm labor. Sen. Magnuson introduced bill to amend Sec. 22, re agricultural imports.

SENATE

1. **MILITARY TRAINING.** Began debate on S. 1, the military-training selective-service bill (pp. 1615-31, 1642-53).
2. **NOMINATION.** Received the nomination of Robert Ramspeck to be a Civil Service Commissioner (p. 1654).
3. **TRADE AGREEMENTS.** Sen. Malone spoke against the reciprocal trade agreement program and in favor of S. 981, the "flexible import fee" bill (pp. 1631-42).
4. **ECONOMIC STABILIZATION.** Sen. Wiley said the administration should do more to fight inflation (p. 1615).
5. **FOOT-AND-MOUTH DISEASE.** Received a resolution from the S. Dak. Legislature favoring continuation of the foot-and-mouth disease campaign (p. 1606).
6. **RECLAMATION.** Sen. Butler, Nebr., inserted various resolutions by the Nebraska Reclamation Association (pp. 1608-9).
7. **FARMERS UNION.** Sen. Butler, Nebr., inserted various resolutions by the Farmers Educational and Cooperative State Union of Nebraska (pp. 1609-10).

HOUSE

8. **AGRICULTURAL INVESTIGATIONS.** The Rules Committee reported with amendment H. Res. 99, to authorize the Agriculture Committee to investigate all matters within its jurisdiction and agriculture in relation to defense mobilization (H. Rept. 179) (p. 1685).

9. APPROPRIATIONS. Rep. Cannon, Mo., spoke in favor of a "one-package" appropriation bill, discussing the matter with Rep. Taber, N. Y., and others, and discussed with Rep. Martin, Mass., the ratio of Democrats and Republicans on subcommittees of the Appropriations Committee. Rep. Cannon inserted various newspaper articles and editorials favoring the omnibus appropriation bill. (pp. 1665-84).
10. EDUCATION; LABOR. The Rules Committee reported with amendment H. Res. 73, to authorize the Education and Labor Committee to investigate matters within its jurisdiction (H. Rept. 178) (p. 1685).
11. COMMERCE. The Rules Committee reported with amendment H. Res. 51, to authorize the Interstate and Foreign Commerce Committee to investigate matters within its jurisdiction (H. Rept. 177) (p. 1685).
12. POSTAL RATES. Received the President's message recommending that postal rates be increased sufficiently to reduce the postal deficit; to Post Office and Civil Service Committee (H. Doc. 65) (pp. 1660-1). The message was also received in the Senate (p. 1631).
13. DAYLIGHT SAVING TIME. The Judiciary Subcommittee of the D. C. Committee reported to the full committee without recommendation H. R. 2611, authorizing daylight saving time in D. C. (p. 1629).
14. PRICE CONTROLS. Rep. Rogers, Mass., urged that prices be controlled and suggested that additional legislation be passed if the present law is not effective (p. 1659).
15. SMALL BUSINESS. Chairman Patman (Tex.) of the Small Business Committee announced the appointment of subcommittees to investigate the problems of small business in the national emergency, small business in Government procurement, specific problems of specific groups (pp. 1630-1).
16. REPORT. Received from Interior Department a report on progress under the Synthetic Liquid Fuels Act of 1944 (p. 1684).
17. CLAIMS. Received from the Budget Bureau a proposed bill recommended by the Motor Carrier Claims Commission to amend the act creating the Motor Carrier Claims Commission; to Judiciary Committee (p. 1685).

BILLS INTRODUCED

18. FARM LABOR. S. 984, by Sen. Ellender, to amend the Agricultural Act of 1949 relating to recruiting agricultural workers from foreign countries; to Agriculture and Forestry Committee (pp. 1610, 1612-3). Sen. Ellender discussed the purposes of the bill and inserted its text in the Record (pp. 1612-3).
H. R. 2955, by Rep. Yorty, Calif., relating to the stabilization of defense farm labor; to Agriculture Committee (p. 1686).
19. WEED CONTROL. S. 980, by Sen. Dyorshak, to authorize appropriations for the eradication and control of haloxylon on public lands; to Interior and Insular Affairs Committee (p. 1610).
20. AGRICULTURAL IMPORTS. S. 983, by Sen. Magnuson (for himself and Sen. Morse), to amend section 22 of the AIA Act, to strengthen its provisions providing for the imposition of import quotas on agricultural commodities when imports of such commodities tend to interfere with price support or other programs admin-

practical effect of continued support for reclamation development."

"Resolution 9

"Hearings on the Missouri basin agricultural program

"Whereas the reclamation program in Nebraska is well under way; and

"Whereas the maximum development and protection of both soil and water resources is dependent upon the simultaneous development of the reclamation and agricultural programs; and

"Whereas bringing soil conservation practices to all of the land in the watersheds above the major reclamation structures will provide protection to and prolong the life of these structures; and

"Whereas joint development of these programs will be in the interest of the conservation of all soil and water resources in the State; and

"Whereas this joint development will provide for best use of land and water resources and will promote the industrial development of the State: Therefore be it

"Resolved, That the Nebraska Reclamation Association urge the Congress of the United States to continue hearings on the Missouri River basin agricultural program with a view toward getting final authorization of this program by the Congress."

"Resolution 10

"Supplemental water projects

"Whereas in many areas in Nebraska there is need for supplemental water for agricultural purposes because of deficient or failing water supplies: Now, therefore, be it

"Resolved by the Nebraska Reclamation Association, That adequate and continuous consideration be given by all agencies concerned with investigation of and the preparation of plans for projects to the furnishing of supplemental water supplies to areas now suffering from or that may suffer from insufficient water supplies."

"Resolution 12

"Study possible joint meeting Nebraska Reclamation Association and State Irrigation Association

"Whereas there is a broad, common interest among individuals and organizations engaged in both the use and expansion of our soil and water resources; and

"Whereas it appears that the maximum development and use of Nebraska soil and water resources might be better achieved through a combined and cooperative meeting of the Nebraska Reclamation Association and the Nebraska State Irrigation Association for the development of a joint program and consecutive dates of their annual meetings: Now, therefore, be it

"Resolved, That the president of the Nebraska State Reclamation Association be authorized and directed to appoint a committee to study the possibility of such a joint meeting of the two associations and to confer with the appropriate officers of the Nebraska Irrigation Association for furtherance of this resolution."

"Resolution 13

"Small areas for recreation

"Whereas under existing Federal law the Bureau of Reclamation and other Federal agencies lack the necessary authority to acquire additional small areas of land lying contiguous to reservoir areas for recreation purposes except upon reimbursement by the water users; and

"Whereas under existing Federal law the Bureau of Reclamation and other Federal agencies lack the necessary authority to

transfer federally developed recreation areas to States, or subdivisions of the States, wherein the reservoir and recreation area are located: Now, therefore, be it

"Resolved, That the Nebraska Reclamation Association endorse the passage of the necessary laws to carry out the intent and purposes of the foregoing preamble; be it further

"Resolved, That the proper officials of this association are hereby directed to endorse the necessary legislation to be introduced in Congress to carry out the intent and purposes, of the foregoing preamble, such legislation to be subject to the consent of the Governor and the governing board of the affected county."

To the Committee on Public Works:

"Resolution 4

"Amend Federal Power Act with respect to licensing State dams

"Whereas the Federal Power Act (41 Stat. 1063) require State agencies to obtain licenses from the Federal Power Commission, and licenses so obtained reserves to the Federal Government the right to take the dam and power plant after 50 years at their then depreciated value, even though the dam will not materially affect adversely the navigability of the stream; and

"Whereas this seriously impairs the ability of the State agencies to properly finance their activities without any corresponding advantage to the Federal Government: Now, therefore, be it

"Resolved, That the Nebraska Reclamation favors amendment to the Federal Power Act so as to eliminate the license requirement unless a determination is had that proposed construction will materially affect navigability of the stream and that such amendment be applied to cancel the Federal right to take over after 50 years as to licenses heretofore obtained."

"Resolution 7

"Cooperation between all governmental agencies, Federal, State, and local, for production and distribution of electrical power

"We note with satisfaction the progress made by the various public agencies of our State in seeking agreement in the matter of marketing hydroelectric energy developed on the Missouri. Nebraska needs all electric energy which can be made available to us from the giant dams in the Missouri Basin. We recognize the difficulties in the way of complete agreement and the conflicts of interest if the problem is viewed from a purely local position. A failure to compose differences will inevitably lead to the establishment of an over-all agency or to a disintegration and failure of our State public power system.

"Accordingly, we urge the utmost effort to reconcile differences in the interest of all of our people."

"Resolution 8

"Nonreimbursable for nonfederal projects

"Whereas the Bureau of Reclamation and Corps of Army Engineers and other Federal agencies are by law authorized to expend funds as appropriated by Congress in the construction of reclamation and flood-control projects, including certain nonreimbursable costs; and

"Whereas publicly owned projects proposed under State laws, and financed with funds other than those appropriated to these Federal agencies, are unable to finance the cost of such nonreimbursable items above mentioned: Now, therefore, be it

"Resolved, That the Nebraska Reclamation Association favors congressional authorization for the expenditure by these Federal agencies of funds for such nonreimbursable costs on such projects; be it further

"Resolved, That the proper officials of this association are hereby directed to endorse necessary legislation to be introduced in Congress to authorize such expenditures."

RESOLUTIONS OF CONVENTION OF FARMERS EDUCATIONAL AND COOPERATIVE STATE UNION OF NEBRASKA

Mr. BUTLER of Nebraska. Mr. President, I present a copy of resolutions adopted at the recent annual State convention of the Farmers Educational and Cooperative State Union of Nebraska, which convened in Omaha on February 14 and 15. This is a statement that will be of genuine interest to Members of Congress and departments of the Federal Government. I ask unanimous consent that the resolutions be printed immediately following my statement.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

1951, FARMERS UNION LEGISLATIVE COMMITTEE REPORT

1. Industry-wide strikes are intolerable as domestic warfare and sabotage against the general welfare. We approve labor legislation designed to protect labor, industry, and agriculture from the occurrence of disastrous work and production stoppages, and ask that such legislation be broadened and strengthened to the end that peaceful arbitration and judicial action replace warfare or dictation by or between labor and industry.

2. As stated previously, we oppose a return to the gold standard, or requirement of increased gold reserves, or a higher interest rate as implements for deflation. Such tactics after the First World War brought deflation and depression and also a stagnation of production and trade. Relatively high profits, high wages, and high prices are desirable to keep the national income at a high level, so as to make the burden of the national debt bearable.

3. We urge continued vigorous support of the program for eradication of hoof-and-mouth disease in Mexico.

4. We demand liberal congressional appropriations for hydroelectric generation and power transmission facilities as being necessary for national security and the conservation of natural resources. Among the hydroelectric projects long overdue for development is the St. Lawrence seaway. Federal appropriations for loans for hydroelectric and REA development are not expenses but are profitable investments guaranteeing greater national security and a higher standard of living.

5. We again urge the amendment of the Internal Revenue Code so as to stop collecting the refundable tax on tractor fuel.

6. We again oppose the taxation of any earnings of cooperatives except as they are taxed as a part of the individual's income.

7. We urge the elimination of trade barriers between States as being against public interest and contrary to the Constitution of the United States.

8. We urge continued publicity for complete assessment and equitable valuation of all property and a more complete collection of taxes.

9. We oppose efforts to change from local to State and Federal support of the school system. It is reliably estimated that under the proposed Federal-aid-to-education bill, Nebraska would suffer a net loss in millions of dollars besides loss of local control of the public schools.

10. We recommend generous financial support for agricultural experimental work by the State university and adequate support for its general program.

11. We urge that industrial alcohol and synthetic-rubber plants be kept in operation,

if only for reasons of scientific research and development and national security and the use of possible crop surpluses.

12. We deplore the continued, and to date successful, efforts of various selfish interests in Nebraska to exclude Bureau of Reclamation power and transmission lines from Nebraska, whether in the name of protecting the so-called Nebraska public power system or for any other of the false reasons given. Bureau of Reclamation power is available for Nebraska people if they wake up and fight for it and force a reorganization of the hydro districts so as to protect the public interests. We recommend that the Farmers Union of Nebraska support the efforts of the State REA association to amend Nebraska law so that the so-called Nebraska public power system be reorganized on a representative State-wide basis.

13. We are opposed to a general sales tax.

14. We favor a revision of patent laws to prevent monopoly, and withholding from the general public the better mechanical devices and processes discovered from time to time.

15. We, the members of the Nebraska Farmers Union, in convention assembled, reaffirm our solemn convictions that the future health, strength, and prosperity of our country depends upon the reestablishment and maintenance of free, competitive, and cooperative enterprise. We hereby pledge ourselves as individuals, and as a farm organization, to diligently and actively work toward this objective, and the defeat of the false philosophies that place their dependents more and more on an all-powerful Government.

16. We reaffirm a previous resolution in favor of returning to a two-house legislative system in Nebraska.

17. We urge the United States Department of Labor to be more realistic in determining the prevailing wage scales actually in effect in rural areas when setting up prevailing wage minimums to be paid on federally financed projects, such as REA construction. The record so far indicates that the Department of Labor has, in the past few months, arbitrarily increased some wage scales from an actual maximum of \$1.75 per hour being paid by contractors, to a minimum of \$2.25 per hour for new construction, in spite of definite evidence submitted as to actual existing prevailing wages in the area, and in spite of statements of public officials about holding down inflation.

18. Whereas farm boys and girls possess the technical skills, the physical stamina, the willingness to work long hours in adverse conditions, and whereas it is evident that food will be a deciding factor in any military struggle that may momentarily involve our Nation, and whereas the nature of farming does not readily lend itself to supervisory methods adaptable to manufacturing and industry; therefore, be it resolved, that in order that agriculture be assured adequate and efficient help, we urge that draft boards refrain from indiscriminate drafting of farm youth.

19. We endorse legislative bill 247, which is a revision and continuation of the present cream law.

20. We oppose legislative bill 250, which would give the railway commission unnecessary power over the organization of county or cooperative telephone companies.

21. We endorse legislative bill 313, designed to permit the payment for cooperative or county-owned telephone lines with revenue bonds.

22. Be it resolved, that we endorse the objectives and principles as proposed in legislative bill 1, or better known as the wheat utilization bill, but that we recommend that the additional funds for experimental work in wheat be made available to the agricultural experiment stations under the established supervision of the university rather

than under a new set-up in the State department of agriculture.

23. We favor retention of the present system of licensing farm trucks.

24. Resolved, that inasmuch as the Federal Government has imposed social security, we desire to go on record in favor of abolishing teachers' retirement law with a referendum.

25. We are opposed to any further increase of high school or other school tuition costs.

26. We condemn any effort to repeal the farm power gasoline tax exemption law.

27. We wish to go on record as opposed to drafting 18-year-old boys.

CARL MAHR, *Secretary*.

FRANK J. HAUMONT, *Chairman*.

REPORT OF LABOR-MANAGEMENT RELATIONS IN BELL TELEPHONE SYSTEM—MINORITY VIEWS (REPT. NO. 139)

Mr. MURRAY. Mr. President, from the Committee on Labor and Public Welfare, I submit, pursuant to Senate Resolution 140, Eighty-first Congress, a report on labor-management relations in the Bell Telephone System, together with the minority views of the Senator from Ohio [Mr. TAFT], the Senator from New Jersey [Mr. SMITH], and the Senator from California [Mr. NIXON], and the additional minority views of the Senator from New Jersey [Mr. SMITH]. I ask unanimous consent that it be printed.

The VICE PRESIDENT. The report will be received and printed, as requested by the Senator from Montana.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

(Mr. LODGE introduced Senate bill 975, to provide for enlistments in the National Military Establishment and assignment by the Secretary of Defense, which was referred to the Committee on Armed Services, and appears under a separate heading.)

By Mr. LANGER:

S. 976. A bill for the relief of Mohammed Ali; to the Committee on the Judiciary.

By Mr. HUNT:

S. 977. A bill to provide advanced retired rank and pay for officers of the Army who have served as Engineer Commissioner of the District of Columbia; to the Committee on Armed Services.

S. 978 (by request). A bill to amend section 8 of title I of the District of Columbia Revenue Act of 1937, as amended; to the Committee on the District of Columbia.

By Mr. McKELLAR:

S. 979. A bill to permit certain lands heretofore conveyed to the city of La Follette, Tenn., for park purposes to be used for school or other public purposes; to the Committee on Public Works.

By Mr. DWORSHAK:

S. 980. A bill to authorize appropriations for the eradication and control of halogeton on public lands; to the Committee on Interior and Insular Affairs.

(Mr. MALONE introduced Senate bill 981, to amend the Tariff Act of 1930, and for other purposes, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. DOUGLAS:

S. 982. A bill to authorize the sale of the Chicago Appraisers' Stores Building to the city of Chicago; to the Committee on Expenditures in the Executive Departments.

By Mr. MAGNUSON (for himself and Mr. MORSE):

S. 983. A bill to amend section 22 of the Agricultural Adjustment Act, to strengthen its provisions providing for the imposition of import quotas on agricultural commodities when imports of such commodities tend

to interfere with price support or other programs administered by the Department of Agriculture, to transfer its administration from the United States Tariff Commission to the United States Department of Agriculture, and for other purposes; to the Committee on Agriculture and Forestry.

(Mr. ELLENDER introduced Senate bill 984, to amend the Agricultural Act of 1949, which was referred to the Committee on Agriculture and Forestry, and appears under a separate heading.)

ALLOTMENT OF MANPOWER TO THE MILITARY SERVICES

Mr. LODGE. Mr. President, I ask unanimous consent to make a statement of about 2 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Massachusetts may proceed.

Mr. LODGE. Mr. President, the Preparedness Subcommittee of the Armed Services Committee has recently criticized the competition going on between the armed services for manpower, pointing out especially the fact that the Air Force, in its haste to get the cream of the crop, had taken in more reservists and recruits than its facilities could possibly accommodate. Following this statement comes the news that the Air Force has dropped its plans for recalling to active duty nearly 60,000 enlisted men.

This is merely an aggravated instance of a situation which has for years been extremely unsatisfactory and points up the obvious truth that the effective military manpower of this country—which is so limited in numbers—should be allotted to the services in proportion to the needs of the Nation and not in response to high-pressure salesmanship by the various branches of the services. It is certainly a reasonable conclusion that all of our military manpower should be enlisted in the armed services as a whole and then be allotted to the Army, Navy, Air Force, Marine Corps, or Coast Guard as the needs of the Nation require.

As the Senate knows, everyone who is in one of the armed services is enlisted in either the Army, the Navy, the Marine Corps—the Coast Guard in wartime—or the Air Force. It is not possible today to enlist in the armed services as a whole and then to be assigned where one is most needed.

In order to bring this matter up for discussion, I am introducing a bill which authorizes the enlistment of men in the National Military Establishment. This bill is a modest step and does not end the present system of competition between the branches for manpower. It simply sets up a new classification whereby a man can join the armed services as a whole subject to allocation where the needs of the Nation are greatest—and to transfer as the changing defense situation might require. Based on this modest step, it should be possible to develop a policy in which the needs of the Nation, rather than high-pressure salesmanship, will settle the vital issue of how best to allot the Nation's manpower, which is its prime resource.

This bill frankly recognizes one of the most important facts about war—which is that the job which needs to be done

is often not the job which is most attractive or popular. If everyone were allowed to enlist in the branch of his choice, it is undoubtedly true that we would have very little, if any, infantry. Yet, so far, it has been found impossible to win wars without infantry. It is a great pity that this illustrious branch should not have the recognition in all senses of the word which it deserves.

There are also occasions when it is necessary to build up a branch in a great hurry and this would not be possible if one depended on the aggregate of a lot of individual choices.

Two examples from World War II came to mind in this connection. In the winter and early spring of 1942, it became desirable to build up the Air Force at a very high rate of speed. While the Air Force was popular, those who volunteered for it did not do so at a sufficiently rapid rate to get the build-up which was desired. It therefore became necessary to transfer a number of men from the Army into the Air Force. Later some men were transferred back to the Army. This could easily be done at that time due to the legal technicality that the Air Force was part of the Army. Ironically, when we achieved so-called unification, we made it impossible for this to be done. In this sense, in the name of unification, we actually moved further away from it and in the direction of triplification.

It is also noteworthy that in World War II the time came in the winter of 1945 when we were scraping the bottom of the barrel insofar as infantry was concerned. Orders therefore were issued to divert young men who were intended for the Air Force into the infantry. The argument was made that the air war was won and the winning of the ground war was still ahead. Therefore, the eminently realistic decision was made to put our manpower where it was most needed and where it would most quickly shorten the war and bring victory.

It is obviously asinine and highly dangerous for us to commit our young manpower to military formations which are not needed for the winning of the war. It would be foolish indeed—to use an extreme example—to have 40 divisions maneuvering here in the United States when the real need was for men to man the ships of our Navy. Although we can and we should defer to individual desires insofar as possible, we must not hesitate to set up a system whereby the manpower can go where it is most needed. After all, our manpower is our greatest military asset. It is something which is definitely limited in number. We cannot produce a crop of young men the way we can produce a crop of wheat or the way we can step up our industrial production. They must therefore go where they are most needed.

Mr. President, I now introduce the bill and ask unanimous consent to have it printed in the RECORD following my remarks and to have printed also an editorial entitled "Infantrymen," published in the Boston Post of February 21, 1951, and an editorial entitled "Free

Transfers," published in Armed Force of July 23, 1949.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the editorials will be printed in the RECORD.

The bill (S. 975) to provide for enlistments in the National Military Establishment and assignment by the Secretary of Defense, introduced by Mr. LODGE, was read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That under such regulations as he may prescribe the Secretary of Defense is authorized to accept enlistments in the National Military Establishment of qualified persons not less than 17 years of age for periods of 2, 3, or 4 years: *Provided,* That upon enlistment such persons shall be assigned to serve in the Army, Navy, Marine Corps, or Air Force as required, and all pertinent laws, orders, regulations, and other directives applicable to enlisted personnel of the service to which assigned shall be applicable to such enlistees during their service therein. The Secretary of Defense is further authorized to reassign such persons to any other service as required during their terms of enlistment.

The editorials ordered to be printed in the RECORD on request of Mr. LODGE are as follows:

[From the Boston Post of February 21, 1951]

INFANTRYMEN

The zeal and heat of the debate on how many troops we will send to Europe presupposes that we have troops galore, legions just waiting to climb on a boat and sail. The first-class infantryman is very scarce.

While the more glamorous services of the Air Force and Navy skim the cream of the manpower to such an extent that the Air Force has had to cut back call-ups of reservists in order to train the glut of air crews, ground men, and technicians. They have 60,000 too many men for their facilities. Meanwhile in Korea there is a desperate shortage of replacements.

In this situation it seems rather futile to discuss limiting the numbers of troops sent to Europe, because we have none to send without stripping the training cadres to the bone. To the outsider it seems that the ground forces have been given the rawest of raw deals on the question of allocation of manpower.

It seems about time for the service chiefs to get together and make a fair distribution of the fit, first-class men between the services. They know and reiterate constantly the problems of defending the United States and bolstering armed strength in Europe, yet the Army ground forces must always take what's left over after voluntary enlistments in the Navy and Air Force have skimmed the best of the men from a physical standpoint.

The infantry has always been, and even in this atomic age, will continue to be the queen of battles. The need is for infantrymen and all the debates on how many to send to Europe will not prove a thing unless there are skilled, physically fit trained divisions.

The Air Forces constantly din the theme that they cannot win battles on the ground, and the Navy cannot be expected to play an active role in ground combat. Yet all the fighting in Korea, and all the fighting that there is likely to be, will reach its critical decision on the ground.

Instead of instilling pride of organization and esprit de corps in crack infantry outfits, the tendency has been to make the infantryman feel somewhat inferior—mere expendable cannon fodder. Experience has shown

that the infantryman properly trained with enough fire power is perhaps the most valorous individual in uniform and quite able to survive even when the odds, as in Korea, are 20 to 1.

Tables of organization and schedules of training are all very well, but they are not divisions in being, ready to meet an emergency. The big task now seems to be to instill some pride of regiment in the prospective infantrymen, and then to bear down on creating the divisions which Senator TAFT discusses with such learned detail.

The bleak truth is that we will not have real military strength and national security until adequate ground forces are trained, and our internal security is jeopardized while this vacuum exists.

[From Armed Force of July 23, 1949]

FREE TRANSFERS

Virtually every sincere, serious student of the unification dilemma is agreed that the ultimate goal would be attained much sooner if the services were not still saturated with officers so transfixed by the glories, traditions, and unassailable rectitude of their own particular arm that they can countenance no other. Resignations, retirements, and attrition will correct this situation in time, but faster methods suggest themselves almost automatically.

One of these has now reached the status of pending legislation, in the form of a proposal that voluntary individual interservice transfers, which have the sanction of the service Secretaries concerned, be freely permitted. For some unfathomable reason, there is powerful opposition to this bill—so powerful, in fact, that it seems destined to die by default unless someone can coerce the House Armed Services Committee chairman, Representative CARL VINSON, Democrat of Georgia, to reverse his personal pocket veto.

It would be interesting to learn what possible arguments could be sustained against the proposal. Informed leaders with the best interests of the Nation and the services at heart—among them General Eisenhower and General Spaatz—have endorsed the principle of interservice transfers, and have portrayed them as potentially an effective instrumentality in breaking down uniformed complacency, intolerance, and prejudice.

They are, in effect, a varsity projection of the "operation candid" transfers and maneuvers successfully launched within the service academies; and which were devised to give the embryo admiral and general a deeper appreciation of the defense team concept, as well as give him a better appreciation of the capabilities and limitations of his partners on the team.

It can be conceded that wholesale transfers tending to throw the Armed Forces out of balance obviously would be unthinkable. A provision stipulating that transfers could not be made except with the mutual consent of the two Secretaries involved would seem to provide ample insurance against such an eventuality. For that matter, the budget—as well as moderately inflexible tables of organization—would tend to fix personnel transfer limits.

Here again, however—as in the case of the NME reorganization—is a case wherein congressional sanction, while desirable, is not imperative. There is sufficient latitude in present administrative procedures for the assignment of personnel of one service to specific jobs with other services. Necessity demanded, and experience justified, a large scale precedent for interservice assignment in World War II.

It was not uncommon during wartime to find, for example, Navy demolition experts traveling with, and engaging in combat alongside of ground force units. Air personnel were attached to Army units, and vice

versa, for effective liaison. Marines were trained at Army or air schools, and officers and enlisted men of all services were found working side by side in certain intelligence or communications outfits.

This universality of service and loss of special identity has been encouraged in the postwar Military, Naval, and Air Establishments, but on a somewhat limited scale. It would seem proper, legal, and justifiable, however, for an expansion of this basically correct idea, regardless of congressional neglect or recalcitrance. The authority for it exists, and the need for it is obvious.

Whatever objections exist—and, frankly, it is difficult to perceive what they could be—should be thrashed out publicly and debated in Congress, not smothered in parliamentary pigeonhole. If Congress defaults its prerogative, there would be no recourse other than administrative action to achieve the desired goal. In view of this, it would be appropriate for the Defense Secretary to launch official studies designed to augment the intermingling and interservice assignment of the maximum number of personnel, so as to break down the arbitrary mental and physical compartmentation which now stands as a basic threat against eventual unification of the Armed Forces.

AMENDMENT OF AGRICULTURAL ACT OF 1949 RELATING TO RECRUITING AGRICULTURAL WORKERS FROM FOREIGN COUNTRIES

Mr. ELLENDER. Mr. President, I introduce for appropriate reference a bill to amend the Agricultural Act of 1949, and I ask unanimous consent to make a brief statement.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the Senator from Louisiana may proceed.

The bill (S. 984) to amend the Agricultural Act of 1949, introduced by Mr. ELLENDER, was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. ELLENDER. Mr. President, it is the purpose of the bill to provide an adequate supply of agricultural workers in the continental United States by authorizing the Secretary of Labor to recruit workers from foreign countries within the Western Hemisphere or from Hawaii or Puerto Rico and to make them available for agricultural employment in the United States.

To carry out this purpose, the Secretary of Labor would be authorized to transport workers to and from the United States, and furnish them with maintenance, and such emergency medical care and burial expenses as may become necessary, while they are being transported by the United States; or are at reception centers in the United States.

The bill would also authorize the Secretary of Labor to provide assistance at reception centers to employers and workers in negotiating contracts of employment, and to guarantee performance of such contracts by employers. Employers would be required, as a condition to receiving assistance under the act, to agree to reimburse the United States for any expenses incurred by it under its guaranty, and for certain expenses—not to exceed \$20 per worker—incurred by the United States in recruiting and transporting workers. The employer would also be required to pay certain amounts in lieu of the costs of re-

turning fugitive workers to reception centers.

No workers would be recruited under the bill for employment in any area until certain findings have been made by the Director of State Employment Security with respect to the need for such workers.

The bill would exempt workers recruited under its provisions from social-security taxes and benefits, and from the head tax required under the immigration laws.

The bill covers workers performing services or activities specified in section 3 (f) of the Fair Labor Standards Act of 1938 or section 1426 (h) of the Internal Revenue Code—social-security tax provisions—and expressly includes those engaged in horticultural employment, cotton ginning, and compressing, crushing of oilseeds, and packing, canning, freezing, drying, or other processing of perishable or seasonable agricultural products.

The bill would be effective only until December 31, 1952.

I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

A bill to amend the Agricultural Act of 1949

Be it enacted, etc., That the Agricultural Act of 1949 is amended by adding at the end thereof a new title to read as follows:

"TITLE V—AGRICULTURAL WORKERS

"Sec. 501. For the purpose of assisting in such production of agricultural commodities and products as the Secretary of Agriculture deems necessary, by supplying agricultural workers from foreign countries within the Western Hemisphere (pursuant to arrangements between the United States and such countries) or from Hawaii or Puerto Rico, the Secretary of Labor is authorized—

"(1) to recruit such workers (including any such workers temporarily in the United States);

"(2) to establish and operate reception centers at or near the places of actual entry of such workers into the continental United States for the purpose of receiving and housing such workers while arrangements are being made for their employment in, or departure from, the continental United States;

"(3) to provide transportation for such workers from recruitment centers outside the continental United States to such reception centers and transportation from such reception centers to such recruitment centers after termination of employment;

"(4) to provide such workers with such subsistence, emergency medical care, and burial expenses (not exceeding \$150 burial expenses in any one case) as may be or become necessary during transportation authorized by paragraph (3) and while such workers are at reception centers;

"(5) to assist such workers and employers in negotiating contracts for agricultural employment (such workers being free to accept or decline agricultural employment with any eligible employer and to choose the type of agricultural employment they desire, and eligible employers being free to offer agricultural employment to any workers of their choice not under contract to other employers);

"(6) to guarantee the performance by employers of provisions of such contracts relating to the payment of wages or the furnishing of transportation.

"Sec. 502. No workers shall be made available under this title to any employer unless

such employer enters into an agreement with the United States—

"(1) to indemnify the United States against loss by reason of its guaranty of such employer's contracts;

"(2) to reimburse the United States for expenses incurred by it in the recruitment and transportation of workers under this title in such amounts, not to exceed \$20 per worker, as may be agreed upon by the United States and such employer; and

"(3) to pay to the United States, in any case in which a worker is not returned to the reception center in accordance with the contract entered into under section 501 (5), an amount determined by the Secretary of Labor to be equivalent to the cost of returning such worker from the place of employment to such reception center, less any portion thereof required to be paid by other employers.

"Sec. 503. No workers recruited under this title shall be available for employment in any area unless the director of state employment security for such area has determined and certified that (1) sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed, and (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed.

"Sec. 504. Workers recruited under this title who are not citizens of the United States shall be admitted to the United States subject to the immigration laws (or if already in, and otherwise eligible for admission to, the United States shall be permitted to remain therein) for such time and under such conditions as may be specified by the Attorney General but, notwithstanding any other provision of law or regulation, no penalty bond shall be required which imposes liability upon any person for the failure of any such worker to depart from the United States upon termination of employment.

"Sec. 505. (a) Section 210 (a) (1) of the Social Security Act, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended."

"(b) Section 1426 (b) (1) of the Internal Revenue Code, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended."

"(c) Workers recruited under the provisions of this title shall not be subject to the head tax levied under section 2 of the Immigration Act of 1917 (8 U. S. C. sec. 132).

"Sec. 506. For the purposes of this title, the Secretary of Labor is authorized:

"(1) to enter into agreements with Federal and State agencies; to utilize (pursuant to such agreements) the facilities and services of such agencies; and to allocate or transfer funds or otherwise to pay or reimburse such agencies for expenses in connection therewith;

"(2) to accept and utilize voluntary and uncompensated services; and

"(3) when necessary to supplement the domestic agricultural labor force, to cooperate with the Secretary of State in negotiating and carrying out agreements or arrangements relating to the employment in the United States, subject to the immigration laws, of agricultural workers from foreign countries within the Western Hemisphere.

"Sec. 508. For the purposes of this title—

"(1) the term 'agricultural employment' includes services or activities included within

the provisions of section 3 (f) of the Fair Labor Standards Act of 1938, as amended, or section 1426 (h) of the Internal Revenue Code, as amended, horticultural employment, cotton ginning and compressing, crushing of oil seeds, and the packing, canning, freezing, drying, or other processing of perishable or seasonable agricultural products.

"(2) the term 'employer' includes associations or other groups of employers.

"Sec. 509. No workers shall be made available under this title for employment after December 31, 1952."

INVESTIGATION OF OPERATION OF FEDERAL GOVERNMENT ACTIVITIES IN MISSISSIPPI

Mr. STENNIS. Mr. President, on behalf of my colleague the senior Senator from Mississippi [Mr. EASTLAND] and myself, I submit for appropriate reference a resolution authorizing an investigation of operation of Federal Government activities in the State of Mississippi.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 87) was referred to the Committee on Expenditures in the Executive Departments, as follows:

Resolved, That the Committee on Expenditures in the Executive Departments, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation of the operation of Government activities in the State of Mississippi with a view to ascertaining (1) the extent to which improper or corrupt political or other influence has been used or exerted in such State in connection with the activities of any department or agency of the Government or any benefits or services granted by any such department or agency, (2) the extent to which contractors have been required to make political or other contributions in order to obtain Government contracts in such State, (3) the extent to which Federal offices and positions in such State have been bartered or sold, (4) whether such improper or corrupt political or other influence has been brought to bear upon Federal officers in connection with the investigation and prosecution of persons suspected of or charged with offenses against the United States, and (5) any other matters which the committee, or duly authorized subcommittee thereof, deems advisable concerning the efficiency of the operations of departments and agencies of the Government within such State.

SEC. 2. The committee shall report to the Senate at the earliest practicable date, not later than January 31, 1952, the results of such study and investigation, together with such recommendations for legislation as it deems advisable.

SEC. 3. The expenses of the committee under this resolution, which shall not exceed \$10,000 (in addition to amounts heretofore made available to the committee), shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee or subcommittee, as the case may be.

HOUSE BILL REFERRED

The bill (H. R. 2262) to authorize the attendance of the United States Marine Band at the celebration of the one hundred and seventy-fifth anniversary of the fortification of Dorchester Heights, Mass., and the evacuation of Boston, Mass., by the British, to be held in South

Boston, Mass., on March 17, 1951, was read twice by its title, and referred to the Committee on Armed Services.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ADDRESS BY SENATOR MARTIN AT WASHINGTON-LINCOLN CELEBRATION, FREDERICK, MD.

[Mr. BUTLER of Maryland asked and obtained leave to have printed in the Record an address delivered by Senator MARTIN before the Washington-Lincoln celebration of the Republican Clubs of Frederick County, at Frederick, Md., on February 24, 1951, which appears in the Appendix.]

EXTRACT FROM ADDRESS BY SENATOR DUFF BEFORE REPUBLICAN STATE CONVENTION OF MICHIGAN

[Mr. DUFF asked and obtained leave to have printed in the Record an extract from the address delivered by him before the Republican State Convention of Michigan on Saturday, February 17, 1951, at Detroit, Mich., which appears in the Appendix.]

PEACE OR WORLD WAR III?—ADDRESS BY SENATOR DUFF

[Mr. DUFF asked and obtained leave to have printed in the Record a radio address on the question, Will It Be Peace or World War III? delivered by him on February 25, 1951, which appears in the Appendix.]

MAN OF THE SOUTH FOR 1950—ARTICLE BY HUBERT F. LEE

[Mr. HOEY asked and obtained leave to have printed in the Record an article entitled "Man of the South for 1950," written by Hubert F. Lee, and published in a recent issue of *Dixie Business*, which appears in the Appendix.]

SON DIES IN KOREA; "WHY?" ASKS HIS DAD—EDITORIAL FROM ROCHESTER TIMES-UNION

[Mr. DIRKSEN asked and obtained leave to have printed in the Record an editorial entitled "Son Dies in Korea; 'Why?' Asks His Dad," published in the *Times-Union*, of Rochester, N. Y., of December 12, 1950, which appears in the Appendix.]

SMALL BUSINESS AND TAXATION—LETTER FROM C. WILSON HARDER

[Mr. SPARKMAN asked and obtained leave to have printed in the Record a letter sent to Senator O'MAHONEY by Mr. C. Wilson Harder, president of the National Federation of Independent Business, which appears in the Appendix.]

SOUTH DAKOTA NEWSPAPER POLL ON FOREIGN POLICY AND NATIONAL DEFENSE

[Mr. MUNDT asked and obtained leave to have printed in the Record a newspaper poll regarding American foreign policy and national defense, conducted by the *Daily Argus-Leader*, of Sioux Falls, S. Dak., which appears in the Appendix.]

PROPOSED AMENDMENT OF SELECTIVE SERVICE ACT—EDITORIAL COMMENT

[Mr. JOHNSON of Texas asked and obtained leave to have printed in the Record editorials commenting on proposed amendments to the Selective Service Act, published

in the *Philadelphia Inquirer*, the *Pittsburgh Post-Gazette*, the *Providence Journal*, the *Galveston Tribune*, and the *Richmond Times-Dispatch*, which appear in the Appendix.]

CIVIL DEFENSE AND PUBLIC WELFARE—STATEMENT BY AMERICAN PUBLIC WELFARE ASSOCIATION

[Mr. O'CONOR asked and obtained leave to have printed in the Record a statement entitled "Civil Defense and Public Welfare," prepared by the American Public Welfare Association, which appears in the Appendix.]

VOICE OF DEMOCRACY CONTEST—REMARKS BY EARL J. McGRATH, UNITED STATES COMMISSIONER OF EDUCATION

[Mr. KNOWLAND asked and obtained leave to have printed in the Record remarks made by Earl J. McGrath, United States Commissioner of Education, at a luncheon honoring the four high-school winners of the Voice of Democracy contest, held at the Hotel Statler, Washington, D. C., on February 22, 1951, which appears in the Appendix.]

INADEQUACY OF SCHOOL PLANT FACILITIES

Mr. THYE. Mr. President, I ask unanimous consent to take 1 minute in order to make a very brief statement.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Minnesota may proceed.

Mr. THYE. Mr. President, I wish to take 1 minute to throw light on a serious school problem that is facing the entire Nation. Many school superintendents, principals, board members and other school executives, as well as vast segments of the general public, have become deeply concerned over the general inadequacy of our school plant facilities. I have had numerous communications from all parts of the State of Minnesota showing that school operations cannot continue as they should in many communities unless materials are made available for expansion of present school facilities.

Because of the seriousness of this important school problem, I submitted a letter on February 24 to Mr. Charles E. Wilson, Director, Office of Defense Mobilization. In my letter to Mr. Wilson I attached brief statements from school administrators of Minnesota pointing out the immediate need for more school facilities. Because of the necessity of adequately providing school buildings for the children of America, I ask unanimous consent to have printed in the body of the Record as a part of my remarks my letter to Mr. Charles E. Wilson, together with the brief statements from Minnesota school executives.

There being no objection, the letter and statements were ordered to be printed in the Record, as follows:

UNITED STATES SENATE,
COMMITTEE ON APPROPRIATIONS.
February 24, 1951.

Mr. CHARLES E. WILSON,
Director, Office of Defense Mobilization,
Washington, D. C.

DEAR MR. WILSON: School administrators and the public as well are being disturbed over the possible curtailment of school-building construction. Many Minnesota schools, for example, are now reporting to me that they are some 20 years behind in

providing necessary school-plant facilities. Educators and the public are equally concerned about shortages of school equipment and school busses.

Following the depression of the thirties, many school districts had planned construction during the years 1941 and 1942, but were deterred from proceeding with such construction because of World War II. These same school authorities, in many cases, now find themselves at this late date in position to start construction only to live in fear that the unavailability of critical materials will prevent the long-needed expansion of their school-plant facilities.

The overcrowding of the schools of our Nation is becoming more critical year after year. As evidence of this ever-increasing space problem is the fact that the elementary-school enrollments alone in the United States are now up to 23,561,000, which is 920,000 or nearly 1,000,000 above that of a year ago. I am informed that in 1954 the schools of our country can expect an elementary-school enrollment of upwards of 30,000,000 pupils. War and postwar increases in birth rate have added to congested classrooms throughout the Nation. A great many schools have found it necessary to provide only half days of instruction, which, by any educational standards, is unsatisfactory. Moreover, it has been a general practice to use special-purpose classrooms by partitioning off parts of gymnasiums, hallways, stages, and basement rooms.

Large population shifts necessitated by World War II and to a lesser extent by the present crisis have caused sudden and substantial increases in school enrollments in addition to normal increases. In many cases school enrollments in urban and suburban areas have increased several hundred percent during the past decade. For example, the city of St. Louis Park, Minn., which is adjacent to the city of Minneapolis, has grown from 7,700 population in 1940 to 22,495 in 1950. Likewise, the school population of St. Louis Park has increased from 1,765 to 4,700 in this 10-year period.

From a maintenance point of view, school-plant facilities have been further retarded because of depression and war. Funds were not available in many instances during the thirties to maintain schools in proper state of repair. During World War II, the lack of materials and the unavailability of skilled labor only added to critical school repair and upkeep problems.

It is, therefore, my desire to urge upon you, as Director of the Office of Defense Mobilization, to give your most careful study and attention to the problems of school construction and school repair. Materials must be made available to provide for an adequate number of new buildings and to keep in proper state of repair those buildings that are now in use. Problems surrounding the production of sufficient equipment to furnish the schools as well as the busses to transport the students to them are equally deserving of priority consideration.

For your information I am attaching statements from Minnesota school administrators that give specific instances of the need for more adequate school facilities in many communities.

Our Nation will be only as strong as its people are capable of meeting its problems and challenges.

The education of our young men and women is a basic essential of all society. It is as much a bulwark to our democracy during the time of crisis as it is a builder of our society during the time of peace.

Sincerely yours,

EDWARD J. THYE,
United States Senator.

MEMORANDUM

FEBRUARY 24, 1951.

The following are excerpts from letters that I have received from school administrators in the State of Minnesota:

Mr. A. A. Vollbrecht, member of board of education, Independent School District No. 21, Fergus Falls public schools, Fergus Falls, Minn.:

"Our program calls for the construction of a new senior high school, remodeling of our junior high school, construction of a new grade school, and additions to two other grade buildings. This amount of construction is needed to house the present population of our community, not considering any future growth.

"We urge that you make every effort to keep schools and materials needed for their construction on a high-priority basis."

Mr. H. P. Dubke, superintendent, North Mankato public schools, North Mankato, Minn.:

"We hope the Government ban on certain types of construction will leave ample materials for school-building purposes. Our local project is not a replacement as we must still plan to keep and use our present facilities that date back to 1890 in construction."

Mr. M. O. Zenner, executive secretary, Civic and Commerce Association, Inc., Fergus Falls, Minn.:

"Fergus Falls has been battling with a shortage of school room for the past 15 years. We have now approved a site and bonds for construction of a very much-needed new senior high school unit. We were forced to curtail construction of a school addition in 1941 because of shortage of materials.

"We are now again in a position to build and want to make sure by urging that you do everything within your power to keep our schools and their needs on a priority basis."

Mr. A. I. Jedlicka, superintendent, Proctor public schools, Proctor, Minn.:

"We are confronted with building additions to our schools that would cost us approximately \$300,000 and unless we can get the materials we cannot build now and how will we know that the future won't be any worse than at the present time? If we are strong today, it means that our schools have made us so, perhaps more than any other institution and if we are going to be strong in years to come, we must not neglect our schools today."

Mr. Irwin T. Mickelson, superintendent, Le Sueur public schools, Le Sueur, Minn.:

"In 1954 the United States schools can expect an elementary school enrollment of 30,000,000 pupils as compared to 23,561,000 this year. The 23,561,000 pupils have every classroom packed this year and where the additional 6,500,000 children are going to be put is a problem that must be faced by every man and woman in this country. It will be necessary to provide 25,000 new classrooms and 15,000 new busses each year for the next several years. As these children advance through the school system it will be necessary to provide space, teachers, and equipment for them. These children cannot be ignored and shrugged off as a problem that can be taken care of in the future. Action is essential and it must be done now. We must choose between an educated populace which will defend democracy and carry it forward or turn loose hordes of young men and women who will be totally unprepared to meet the problems facing them."

Mr. Harold R. Enestvedt, superintendent of schools, St. Louis Park public schools, St. Louis Park, Minneapolis, Minn.:

"Whatever you can do to help the cause of education will be duly appreciated by our board of education, our staff, the parents, and certainly the thousands of boys and

girls who deserve the best education so that we might preserve our democracy."

Mr. James K. Michie, superintendent of schools of Hibbing and president of the Minnesota Council of School Executives, Hibbing, Minn.:

"If the public schools in this country are not going to bog down entirely during the years to come, it is our belief in Minnesota, and I am sure the school administrators throughout the Nation agree, that ODM and NPA must bring into their planning groups some leaders from the field of education.

"The 500 members of the Minnesota Council of School Executives will greatly appreciate your contacting the National Production Authority and also the Office of Defense Mobilization in an attempt to cause them to bring into their planning the needs of the all-important public-school program of this State and this country. We consider this the most important request that has ever been made of these offices by the school superintendents of Minnesota."

RENEGOTIATION ACT OF 1951

Mr. MORSE. Mr. President, for the reasons I am about to state, I ask unanimous consent to substitute for Senate amendment No. 72, which I submitted the other day in connection with the renegotiation bill, a rewritten amendment.

The Senate will recall that when the renegotiation bill was before the Senate, I participated in a colloquy with the distinguished senior Senator from Georgia [Mr. GEORGE] in regard to what I considered to be the need for an amendment which would authorize the renegotiation officials and the Court of Tax Appeals to take into account certain serious hardship cases which are pending, so as to permit the doing of equity and justice in connection with those cases. The Senator from Georgia agreed that he would take to conference an amendment which sought to alleviate the type of injustice about which I was talking. The amendment was hastily drafted on the floor of the Senate, and was submitted.

In further discussions, it was discovered that it would be desirable to modify the amendment somewhat in order to carry out the intent of the junior Senator from Oregon. Therefore, legislative counsel redrafted the amendment.

I am assured that the substitute which I now offer is germane to the amendment which I in fact offered the other day and which it was agreed should go to conference.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. McFARLAND. Is the object of the Senator from Oregon in presenting the substitute now to have it printed, in order that it may be referred? The bill has already been passed, of course. Let me inquire what the Senator's object is?

Mr. MORSE. Of course I understand that the bill has been passed. I simply wish to make this record here, so that the Senator from Georgia can use it in the discussions which will occur in the committee of conference. I now seek only to have the redraft of my amendment printed, for the use of the conferees. I am not asking the Senate to adopt the substitute, although it is ger-

IMPORTATION OF FOREIGN AGRICULTURAL WORKERS

APRIL 11 (legislative day, MARCH 26), 1951.—Ordered to be printed

Mr. ELLENDER, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany S. 984]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 984) to amend the Agricultural Act of 1949, having considered the same, report thereon with a recommendation that it do pass with amendments.

HISTORY OF LEGISLATION

Throughout World War II and since the termination of hostilities, it has been necessary to import agricultural workers from foreign countries in order to assist in the production of adequate supplies of food and fiber for domestic consumption in the United States and for export. Principal sources of foreign farm labor have been Canada, the British West Indies, and the Republic of Mexico, and many workers have been recruited in Puerto Rico. In 1948 the United States and Mexico reached an agreement on the method by which workers from Mexico would be imported for temporary employment in agriculture. In October 1948 Mexico terminated the 1948 agreement and a new agreement was approved and became effective August 1, 1949. The program of importing farm workers from Mexico is now operating under that agreement.

The 1948 agreement established a system of importing workers from Mexico without subsidization by the Federal Government. This system was continued by the present international agreement whereby the private employer, upon certification by the United States Employment Service that he cannot obtain adequate domestic farm labor, recruits workers in Mexico with the joint approval of United States and Mexican Government officials and under their direct supervision. Under the old and present agreement the employer pays the entire cost of transporting the worker from Mexico

and return, and he pays for supplies and subsistence during the period of movement. He also makes other guaranties to the worker under the individual work contract and is required to post a bond of \$25 for each worker to guarantee maintenance of status and departure of the alien agricultural worker.

In addition the 1948 agreement provided that 10 percent of the worker's salary be withheld and then returned to him upon termination of the contract. This provision was deleted in the 1949 agreement. The present agreement also differs from the 1948 agreement in that it contains detailed procedures for handling of complaints of workers against employers violating their contracts and cases of discrimination against Mexican workers.

Violation of contracts by the workers has caused considerable expense to the employers by forcing forfeiture of the departure bonds. Often the worker has returned to his home in Mexico, and while no expense may have been incurred by the Government or the employer in such return, failure by the worker to report his departure to the Immigration and Naturalization Service has caused unnecessary confusion and expense to agricultural producers in this country. On the other hand, many contract violators have been apprehended, and the costs of apprehension must be paid by the employer. In certain instances, this liability has amounted to considerable expense to the employer. Therefore, the agricultural producers in the United States have protested vigorously against the requirement for posting of bonds.

The program of importing farm laborers from Mexico is confronted with a major problem in the form of illegal immigration of workers commonly known as wetbacks. Instead of entering the country at official points and according to law, thousands of workers swim or wade across the Rio Grande River and enter illegally. Because they are often put to work by United States employers before their backs are dry, they have been commonly referred to as wetbacks. The wetback situation presents great economic and social problems. The illegal immigrant is always subject to deportation, and under such circumstances, the wetback will work for wages far below a level which will enable him to maintain a proper standard of living for himself or his family. At the same time, their employment undercuts the going wage of domestic farm labor and thus forces the latter to accept substandard wages also, or move on to other work.

This process not only provides the wetback and the domestic farm laborer with grossly inadequate incomes, but it also affects the status of Spanish-speaking citizens of the United States and retards their assimilation into the normal social and economic life of the country. While the present international agreement addresses itself to the wetback problem, illegal entry of Mexican citizens into the United States has increased greatly and conservative estimates place the number of wetbacks entering the country in 1950 at more than a million. The Immigration and Naturalization Service in the year ending June 30, 1950, deported nearly 500,000 aliens back to Mexico, and undoubtedly as many were never apprehended.

In connection with negotiations to modify the existing agreement, representatives of the United States and Mexico met in conference at Mexico City beginning January 26 of this year to discuss the various

problems noted above. During the course of the conference, the Mexican Government served notice that it was terminating the 1949 agreement.

The United States delegation to the conference was headed by Carl W. Strom, consul general of the United States in Mexico. Chairman Allen J. Ellender of the Committee on Agriculture and Forestry and Congressman W. R. Poage of the House Committee on Agriculture were appointed delegates from their respective committees and served as advisers to the United States delegation.

As an alternative method to the recruitment of farm workers in Mexico by private employers and subsequent posting of compliance bonds, it was suggested at the conference that an agency of the United States recruit such workers and that the Government of the United States guarantee compliance with the individual work contract. It was understood that the United States Government is not now authorized to undertake such a program. The United States delegation agreed to have such legislation introduced in the Congress, and since its enactment would require time for following legislative procedure, the Mexican Government agreed to continue the present international agreement until June 30, 1951.

The conferees then agreed to recommend to their respective governments that the following program be established:

1. The Mexican Government would establish migratory stations at such places in Mexico as might be agreed upon by the Mexican Government and the United States Government.

2. Recruiting teams consisting of Mexican and United States representatives would then recruit agricultural workers at places near the residences of the workers, and the workers would be brought to the migratory stations by the Mexican Government.

3. Following screening by the United States immigration officials, the workers would be transported to reception centers in the United States at the expense of the United States Government. Return transportation from the reception center to the migratory station by this Government would also be guaranteed.

4. At the reception center in the United States, the worker would be free to choose the type of agricultural work he desires, and the employer would be free to select the workers whom he desires. Proper supervision of these negotiations by representatives of both Governments would be maintained.

5. Transportation from the reception center to the place of employment and return would be at the expense of the employer, as well as subsistence and other guaranties as required by the individual work contract.

In accordance with the understanding at the conference, S. 984 was introduced on February 27 by Senator Ellender and referred to your committee. Hearings were conducted on the bill and testimony received from officials of the Department of Labor, Department of State, Department of Agriculture, farm organizations, employers of agricultural labor, and officials of labor unions. Two other bills, S. 949 and S. 1106, were also considered during the hearings and at subsequent executive sessions of the committee.

Evidence on several aspects of the problem was presented and discussed thoroughly during the sessions of the committee. More com-

plete utilization of domestic farm labor through Government subsidization, supplemented by the proposed program for importing agricultural workers, was recommended to the committee. However, a program providing Government transportation of domestic laborers within the country and establishment of overnight stops or additional reception centers would involve considerable expenditure by the Federal Government. At the same time, evidence was presented to the committee that the shortage of farm labor was usually in the supply of "stoop" labor, a term used because the worker is required to stoop or bend forward to do his work. The natural inclination of workers to accept higher paid or easier work than such labor often creates a shortage of these workers and agricultural producers have found it necessary to import foreign workers to make available an ample supply. This stoop labor is just as essential as other operations in the production of food and fiber and therefore, your committee believes that provision should be made at this time for supplying the foreign agricultural labor found necessary to supplement the domestic labor force, and the establishment of additional programs for recruitment, transportation, and placement of domestic farm laborers should be considered as the need arises.

ANALYSIS OF BILL

Section 501 authorizes the Secretary of Labor to—

1. Recruit workers in Mexico for temporary agricultural employment in the United States;
2. Establish and operate reception centers at or near the places of actual entry of such workers into the United States for the purpose of receiving and housing them while arrangements are being made for their employment in, or departure from, the United States;
3. Provide transportation from recruitment centers in Mexico to such reception centers and from such reception centers to recruitment centers after termination of employment;
4. Provide such workers with such subsistence, emergency medical care, and burial expenses (not exceeding \$150 burial expenses in any one case) as may be or become necessary during transportation authorized by paragraph 3 and while such workers are at reception centers;
5. Assist such workers and employers to negotiate contracts of employment; and
6. Guarantee the performance by employers of provisions of such contracts relating to payment of wages or the furnishing of transportation.

The bill also provides that the Secretary may recruit Mexicans already in the United States for agricultural employment. That provision has been amended, however, to require that such workers must have originally entered the country legally. S. 984 further provides that workers recruited under the program authorized by the bill will be free to accept or decline agricultural employment with any eligible employer, and to choose the type of agricultural employment they desire. Likewise, employers will be free to offer agricultural employment to any workers of their choice not under contract to other employers.

While the purpose of S. 984 is to authorize this country to carry out its part of the agreement reached with the Republic of Mexico, the bill as introduced authorized recruitment of agricultural workers from other countries in the Western Hemisphere, pursuant to arrangements between the United States and such countries, and from Hawaii and Puerto Rico. The bill as reported would confine the program to the Republic of Mexico, since extending it to other countries would change the present method of recruitment of farm workers in those countries for temporary employment in the United States.

Section 502 provides that no workers shall be made available to any employer unless such employer enters into an agreement with the United States to—

1. Indemnify the United States against any loss by reason of its guaranty of such employer's contracts.

2. Reimburse the United States for expenses, not including salaries or expenses of regular department or agency personnel, incurred by it for the transportation and subsistence of workers in amounts not to exceed \$20 per worker.

3. Pay to the United States, in any case in which a worker is not returned to the reception center in accordance with the individual work contract, and is apprehended in the United States, an amount determined by the Secretary of Labor to be equivalent to the normal cost to the employer of returning other workers from the place of employment to the reception center, less any portion thereof required to be paid by any other employers.

The bill as introduced provided that the employer pay for all expenses up to \$20 incurred by the Government in recruitment and transportation of workers. The committee believes normal salary and other expenses of Government officials administering the program should not be charged to the individual employer of the workers recruited by such Government employee and recommends amending the bill accordingly.

S. 984 as introduced also provided that in the case of a worker violating his contract, the employer would pay the Federal Government an amount equal to the cost of returning such worker from his place of employment to the reception center. Your committee has amended the bill to require such reimbursement only when the contract violator has been apprehended within the United States and since the original provision was subject to the interpretation that the employer would have to pay the costs of apprehension, new language is recommended to clarify the intent of the bill that the employer pay only the normal cost of returning such worker from the place of employment to the reception center.

Section 503 provides that no workers recruited under this program shall be available for employment in any area unless the director of State employment security for such area has determined and certified that sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed, and that the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed. Your committee believes the State director will be in a position to respond immediately to any real needs in his area for additional workers and can protect the welfare of domestic farm laborers already in the area.

Section 504 provides that workers recruited in Mexico shall be admitted to the United States subject to the immigration laws, and that no penalty bond shall be required which imposes liability upon any person for the failure of any such worker to depart from the United States upon termination of employment. Section 504 also provides that workers already in the country and who otherwise would be eligible for admission to the United States may remain to accept agricultural employment pursuant to arrangements between the United States and the Republic of Mexico. The bill as introduced did not subject retention of such workers for agricultural employment to future arrangements between the two countries.

Section 505 exempts agricultural workers imported from Mexico from social security benefits and taxes, and withholding of, or payment of, such taxes by the employers of such workers. The section further provides that such workers shall not be subject to the head tax levied under section 2 of the Immigration Act of 1917.

Section 506 authorizes the Secretary of Labor to utilize the facilities and services of other Federal and State agencies as may be agreed upon, to accept and utilize voluntary and uncompensated services, and to cooperate with the Secretary of State in negotiating and carrying out agreements or arrangements relating to the importation of agricultural workers from Mexico.

Section 507, as amended, defines the agricultural employment for which workers can be recruited as that covered by section 3 (f) of the Fair Labor Standards Act of 1938, as amended, or section 1426 (h) of the Internal Revenue Code, as amended. The bill, as introduced, provided that in addition to the work considered to be agricultural employment by the above-cited statutes, the term "agricultural employment" would include horticultural employment, cotton ginning and compressing, crushing of oilseeds, and the packing, canning, freezing, drying, or other processing of perishable or seasonable agricultural products. Your committee believes it unwise to enact greatly different definitions of common terms in various statutes and therefore recommends the bill be amended accordingly.

Section 507 also defines "employer" to include an association or group of employers. This provision is designed to reduce the cost of administering the program by permitting the Secretary to deal with an association or group rather than with its individual members. However, the committee believes an amendment is necessary in order to protect the United States in dealing with associations or groups which might later prove financially irresponsible. The amendment would limit the provision to associations or groups which the Secretary of Labor deems financially responsible, or whose individual members are liable for the obligations of the association or group in the event of default by such association or group. The amendment would not require the Secretary to enter into individual contracts with member-employers of any association or group so long as its form of organization or its arrangement with its members is such that its members are liable on its obligations.

The bill is amended to provide in section 508 that nothing in the act shall be construed to limit the authority of the Attorney General to permit the importation of workers from any other country for agricultural employment, pursuant to the immigration laws, or to

permit any such alien who entered the United States legally to remain for employment on farms.

Section 509 provides that the program of importing foreign agricultural workers, as authorized by the act, shall terminate December 31, 1952.

CONCLUSIONS AND RECOMMENDATIONS

In considering this legislation, your committee has endeavored to work out a program which will make available an adequate supply of agricultural workers from Mexico as expeditiously as possible. At the same time, your committee has attempted to keep the cost to the Federal Government at a minimum. Under the program contemplated by S. 984 the Federal Government will assume financial responsibility for, first, costs of recruitment of workers in Mexico and transportation to reception centers within the United States exceeding \$20 per worker; second, establishment and maintenance of reception centers in the United States; third, cost of apprehending contract violators; and, fourth, guaranteeing compliance by employers with the individual work contract with respect to payment of wages and furnishing of transportation.

It is expected that recruitment of Mexican farm laborers by a governmental agency, payment of their transportation to a reception center within the United States and return, and furnishing of subsistence during that time will not cost much more than \$20 per worker. The Department of Labor has estimated that such cost might average nearly \$35 per worker, but its estimates were based upon the recruitment of workers on the average as far as 500 miles south of the Mexico-United States border. It is hoped that adequate workers can be recruited closer to the border and if so, such costs to the Government will be less than those contained in the estimate. It must be kept in mind that the average cost up to \$20 will be paid by the employer, and only where the average cost is more than \$20 will the Federal Government pay for transportation and subsistence.

No estimate has been made by the Department of Labor as to the probable cost of establishing and maintaining reception centers in the United States by the Federal Government. However, in the agreement reached in Mexico City, the Mexican Government agreed to establish migratory stations in Mexico at its expense, and it appears fair and reasonable to your committee that the United States Government should bear its share of the program to the extent of establishing the necessary reception centers in the United States near the border. It was recommended by various witnesses in the hearings conducted on the legislation that several reception centers be established throughout the country. As the committee is reporting a bill which would make the employer pay practically all of the cost of importing workers from Mexico, your committee has agreed to authorize the establishment of only those stations absolutely required to furnish the necessary facilities at or near the border. Thus it will be possible to keep reception center costs at a minimum.

The expenses incurred in apprehending contract violators are not expected to add materially to the cost of the program. It is the intent of the legislation that such apprehension will be carried out by the presently constituted authorities in connection with their regular

duties, and in the case of workers not apprehended there should be no cost involved.

Finally, the bill authorizes the Federal Government to assume responsibility for compliance of employers with the individual work contract, with respect to the payment of wages and the furnishing of transportation. However, the bill further provides that the employer must agree to reimburse the Federal Government for any losses incurred by it by reason of its guaranty of employers' contracts. Thus, the contingent liability of the United States in this respect should not result in much loss to the Government.

The United States as well as Mexico must do everything possible to solve the wetback problem presented by great numbers of Mexicans entering the United States illegally every year. Both Governments agreed at the conference in Mexico City to intensify their efforts to control these violations of immigration laws. The program authorized by S. 984 whereby a governmental agency will recruit workers in Mexico in cooperation with officials of the Mexican Government is expected to provide a supply of workers for agricultural employment in compliance with the laws of both countries. While the program does not attempt to cover all phases of the wetback problem, it is expected to be helpful in alleviating the situation.

It is the opinion of the committee that the bill, as amended, will protect the financial interests of the United States and will provide an effective program of importing needed agricultural workers from Mexico. On the other hand, failure to enact legislation authorizing the United States Government to carry out its part of the agreement reached at Mexico City will mean the termination of the present international agreement and importation program as of June 30. Therefore, your committee recommends early enactment of S. 984, as amended.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

AGRICULTURAL ACT OF 1949, AS AMENDED

* * * * *

TITLE V—AGRICULTURAL WORKERS

SEC. 501. For the purpose of assisting in such production of agricultural commodities and products as the Secretary of Agriculture deems necessary, by supplying agricultural workers from the Republic of Mexico (pursuant to arrangements between the United States and the Republic of Mexico), the Secretary of Labor is authorized—

(1) *to recruit such workers (including any such workers temporarily in the United States under legal entry);*

(2) *to establish and operate reception centers at or near the places of actual entry of such workers into the continental United States for the purpose of receiving and housing such workers while arrangements are being made for their employment in, or departure from, the continental United States;*

(3) *to provide transportation for such workers from recruitment centers outside the continental United States to such reception centers and transportation from such reception centers to such recruitment centers after termination of employment;*

(4) *to provide such workers with such subsistence, emergency medical care, and burial expenses (not exceeding \$150 burial expenses in any one case) as may*

be or become necessary during transportation authorized by paragraph (3) and while such workers are at reception centers;

(5) to assist such workers and employers in negotiating contracts for agricultural employment (such workers being free to accept or decline agricultural employment with any eligible employer and to choose the type of agricultural employment they desire, and eligible employers being free to offer agricultural employment to any workers of their choice not under contract to other employers);

(6) to guarantee the performance by employers of provisions of such contracts relating to the payment of wages or the furnishing of transportation.

SEC. 502. No workers shall be made available under this title to any employer unless such employer enters into an agreement with the United States—

(1) to indemnify the United States against loss by reason of its guaranty of such employer's contracts;

(2) to reimburse the United States for essential expenses, not including salaries or expenses of regular department or agency personnel, incurred by it for the transportation and subsistence of workers under this title in amounts not to exceed \$20 per worker; and

(3) to pay to the United States, in any case in which a worker is not returned to the reception center in accordance with the contract entered into under section 501 (5) and is apprehended within the United States, an amount determined by the Secretary of Labor to be equivalent to the normal cost to the employer of returning other workers from the place of employment to such reception center, less any portion thereof required to be paid by other employers.

SEC. 503. No workers recruited under this title shall be available for employment in any area unless the Director of State Employment Security for such area has determined and certified that (1) sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed, and (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed.

SEC. 504. Workers recruited under this title who are not citizens of the United States shall be admitted to the United States subject to the immigration laws (or if already in, and otherwise eligible for admission to, the United States may, pursuant to arrangements between the United States and the Republic of Mexico, be permitted to remain therein) for such time and under such conditions as may be specified by the Attorney General but, notwithstanding any other provision of law or regulation, no penalty bond shall be required which imposes liability upon any person for the failure of any such worker to depart from the United States upon termination of employment.

SEC. 505. (a) Section 210 (a) (1) of the Social Security Act, as amended, is amended by adding at the end thereof a new subparagraph as follows:

“(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended.”

(b) Section 1426 (b) (1) of the Internal Revenue Code, as amended, is amended by adding at the end thereof a new subparagraph as follows:

“(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended.”

(c) Workers recruited under the provisions of this title shall not be subject to the head tax levied under section 2 of the Immigration Act of 1917, (8 U. S. C., sec. 132).

SEC. 506. For the purposes of this title, the Secretary of Labor is authorized—

(1) to enter into agreements with Federal and State agencies; to utilize (pursuant to such agreements) the facilities and services of such agencies; and to allocate or transfer funds or otherwise to pay or reimburse such agencies for expenses in connection therewith;

(2) to accept and utilize voluntary and uncompensated services; and

(3) when necessary to supplement the domestic agricultural labor force, to cooperate with the Secretary of State in negotiating and carrying out agreements or arrangements relating to the employment in the United States, subject to the immigration laws, of agricultural workers from the Republic of Mexico.

SEC. 507. For the purposes of this title—

(1) The term “agricultural employment” includes services or activities included within the provisions of section 3 (f) of the Fair Labor Standards Act of 1938, as amended, or section 1426 (h) of the Internal Revenue Code, as amended.

(2) The term “employer” shall include an association, or other group, of employers, but only if (A) those of its members for whom workers are being obtained are bound, in the event of its default, to carry out the obligations undertaken by it pursuant to section

502, or (B) the Secretary determines that such individual liability is not necessary to assure performance of such obligations.

SEC. 508. Nothing in this Act shall be construed as limiting the authority of the Attorney General, pursuant to the general immigration laws, to permit the importation of aliens of any nationality for agricultural employment as defined in section 507, or to permit any such alien who entered the United States legally to remain for the purpose of engaging in such agricultural employment under such conditions and for such time as he, the Attorney General, shall specify.

SEC. 509. No workers shall be made available under this title for employment after December 31, 1952.

SOCIAL SECURITY ACT, AS AMENDED

* * * * *

SEC. 210. For the purposes of this title—

Employment

(a) The term "employment" means any service performed after 1936 and prior to 1951 which was employment for the purposes of this title under the law applicable to the period in which such service was performed, and any service, of whatever nature, performed after 1950 either (A) by an employee for the person employing him, irrespective of the citizenship or residence of either, (i) within the United States, or (ii) on or in connection with an American vessel or American aircraft under a contract of service which is entered into within the United States or during the performance of which and while the employee is employed on the vessel or aircraft it touches at a port in the United States, if the employee is employed on and in connection with such vessel or aircraft when outside the United States, or (B) outside the United States by a citizen of the United States as an employee for an American employer (as defined in subsection (e)); except that, in the case of service performed after 1950, such term shall not include—

(1) (A) Agricultural labor (as defined in subsection (f) of this section) performed in any calendar quarter by an employee, unless the cash remuneration paid for such labor (other than service described in subparagraph (B)) is \$50 or more and such labor is performed for an employer by an individual who is regularly employed by such employer to perform such agricultural labor. For the purposes of this subparagraph, an individual shall be deemed to be regularly employed by an employer during a calendar quarter only if—

(i) such individual performs agricultural labor (other than service described in subparagraph (B)) for such employer on a full-time basis on sixty days during such quarter, and

(ii) the quarter was immediately preceded by a qualifying quarter.

For the purposes of the preceding sentence, the term "qualifying quarter" means (I) any quarter during all of which such individual was continuously employed by such employer, or (II) any subsequent quarter which meets the test of clause (i) if, after the last quarter during all of which such individual was continuously employed by such employer, each intervening quarter met the test of clause (i). Notwithstanding the preceding provisions of this subparagraph, an individual shall also be deemed to be regularly employed by an employer during a calendar quarter if such individual was regularly employed (upon application of clauses (i) and (ii)), by such employer during the preceding calendar quarter.

(B) Service performed in connection with the production or harvesting of any commodity defined as an agricultural commodity in section 15 (g) of the Agricultural Marketing Act, as amended, or in connection with the ginning of cotton;

(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended.

INTERNAL REVENUE CODE, AS AMENDED

SEC. 1426 * * *

(b) EMPLOYMENT.—The term "employment" means any service performed after 1936 and prior to 1951 which was employment for the purposes of this subchapter under the law applicable to the period in which such service was performed, and any service, of whatever nature, performed after 1950 either (A) by an employee for the person employing him, irrespective of the citizenship or residence of either, (i) within the United States, or (ii) on or in connection with an American vessel or American aircraft under a contract of service which is entered into within the United States or during the performance of which and while

the employee is employed on the vessel or aircraft it touches at a port in the United States, if the employee is employed on and in connection with such vessel or aircraft when outside the United States, or (B) outside the United States by a citizen of the United States as an employee for an American employer (as defined in subsection (i) of this section); except that, in the case of service performed after 1950, such term shall not include—

(1) (A) Agricultural labor (as defined in subsection (h) of this section) performed in any calendar quarter by an employee, unless the cash remuneration paid for such labor (other than service described in subparagraph (B)) is \$50 or more and such labor is performed for an employer by an individual who is regularly employed by such employer to perform such agricultural labor. For the purposes of this subparagraph, an individual shall be deemed to be regularly employed by an employer during a calendar quarter only if—

(i) such individual performs agricultural labor (other than service described in subparagraph (B)) for such employer on a full-time basis on sixty days during such quarter, and

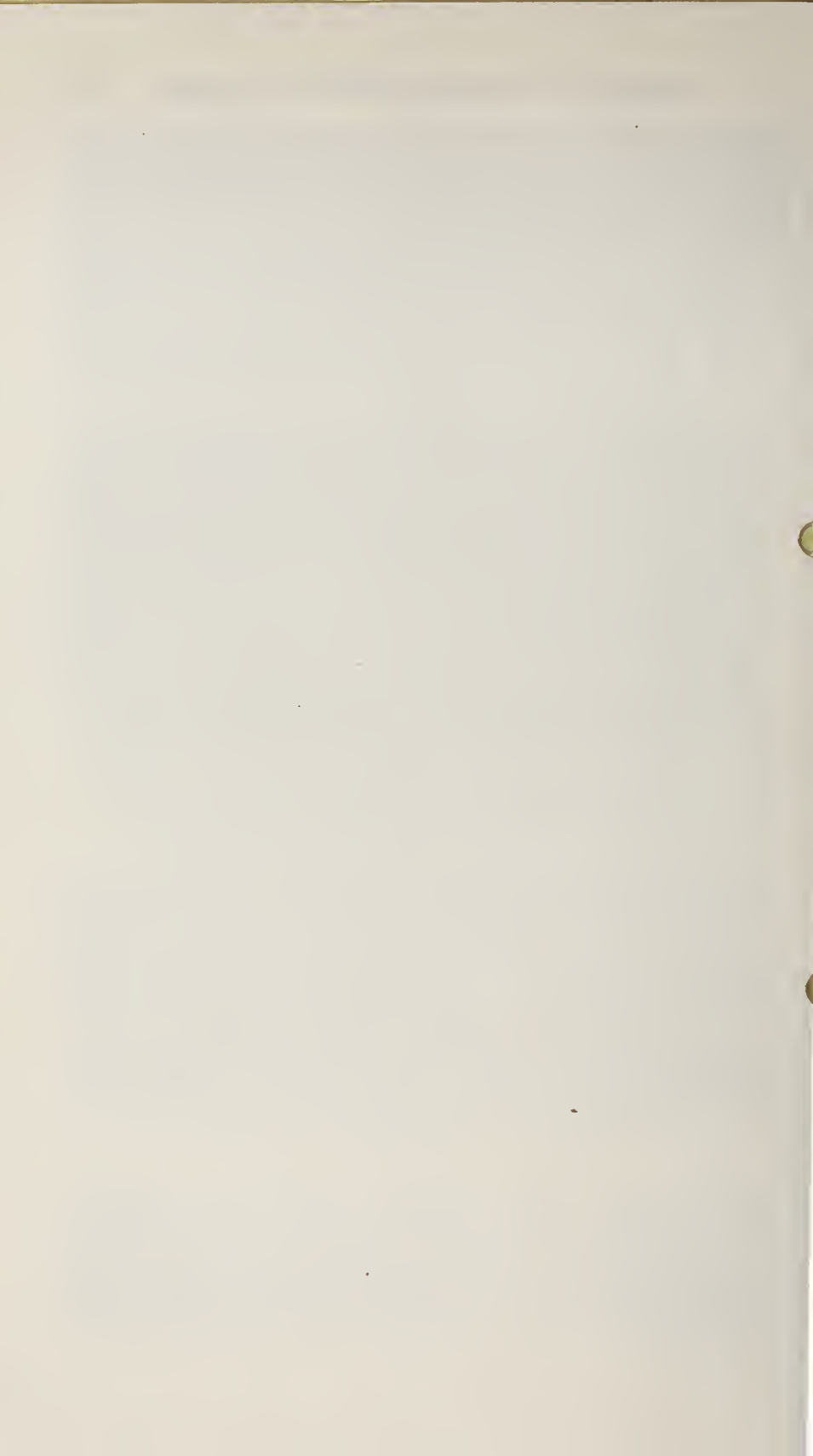
(ii) the quarter was immediately preceded by a qualifying quarter.

For the purposes of the preceding sentence, the term "qualifying quarter" means (I) any quarter during all of which such individual was continuously employed by such employer, or (II) any subsequent quarter which meets the test of clause (i) if, after the last quarter during all of which such individual was continuously employed by such employer, each intervening quarter met the test of clause (i). Notwithstanding the preceding provisions of this subparagraph, an individual shall also be deemed to be regularly employed by an employer during a calendar quarter if such individual was regularly employed (upon application of clauses (i) and (ii)) by such employer during the preceding calendar quarter.

(B) Service performed in connection with the production or harvesting of any commodity defined as an agricultural commodity in section 15 (g) of the Agricultural Marketing Act, as amended, or in connection with the ginning of cotton;

(C) *Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended.*





82D CONGRESS
1ST SESSION

S. 984

[Report No. 214]

IN THE SENATE OF THE UNITED STATES

FEBRUARY 27 (legislative day, JANUARY 29), 1951

Mr. ELLENDER introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

APRIL 11 (legislative day, MARCH 26), 1951

Reported by Mr. ELLENDER, with amendments

[Omit the part struck through and insert the part printed in italic]

A BILL

To amend the Agricultural Act of 1949.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Agricultural Act of 1949 is amended by adding
4 at the end thereof a new title to read as follows:

5 “TITLE V—AGRICULTURAL WORKERS

6 “SEC. 501. For the purpose of assisting in such pro-
7 duction of agricultural commodities and products as the
8 Secretary of Agriculture deems necessary, by supplying
9 agricultural workers from ~~foreign countries within the West-~~
10 ~~ern Hemisphere (pursuant to arrangements between the~~
11 ~~United States and such countries) or from Hawaii or Puerto~~

1 ~~Rice~~ the Republic of Mexico (pursuant to arrangements
2 between the United States and the Republic of Mexico), the
3 Secretary of Labor is authorized—

4 “(1) to recruit such workers (including any such
5 workers temporarily in the United States *under legal*
6 *entry*) ;

7 “(2) to establish and operate reception centers at
8 or near the places of actual entry of such workers into
9 the continental United States for the purpose of receiv-
10 ing and housing such workers while arrangements are
11 being made for their employment in, or departure from,
12 the continental United States ;

13 “(3) to provide transportation for such workers
14 from recruitment centers outside the continental United
15 States to such reception centers and transportation from
16 such reception centers to such recruitment centers after
17 termination of employment ;

18 “(4) to provide such workers with such subsist-
19 ence, emergency medical care, and burial expenses (not
20 exceeding \$150 burial expenses in any one case) as may
21 be or become necessary during transportation authorized
22 by paragraph (3) and while such workers are at recep-
23 tion centers ;

24 “(5) to assist such workers and employers in ne-
25 gotiating contracts for agricultural employment (such

workers being free to accept or decline agricultural employment with any eligible employer and to choose the type of agricultural employment they desire, and eligible employers being free to offer agricultural employment to any workers of their choice not under contract to other employers) ;

“(6) to guarantee the performance by employers of provisions of such contracts relating to the payment of wages or the furnishing of transportation.

“SEC. 502. No workers shall be made available under this title to any employer unless such employer enters into an agreement with the United States—

“(1) to indemnify the United States against loss by reason of its guaranty of such employer’s contracts;

“(2) to reimburse the United States for ~~expenses incurred by it in the recruitment and transportation of workers under this title in such amounts, not to exceed \$20 per worker, as may be agreed upon by the United States and such employer~~ *essential expenses, not including salaries or expenses of regular department or agency personnel, incurred by it for the transportation and subsistence of workers under this title in amounts not to exceed \$20 per worker; and*

“(3) to pay to the United States, in any case in which a worker is not returned to the reception center

1 in accordance with the contract entered into under sec-
2 tion 501 (5), ~~an amount determined by the Secretary~~
3 ~~of Labor to be equivalent to the cost of returning such~~
4 ~~worker and is apprehended within the United States, an~~
5 ~~amount determined by the Secretary of Labor to be~~
6 ~~equivalent to the normal cost to the employer of returning~~
7 ~~other workers~~ from the place of employment to such
8 reception center, less any portion thereof required to be
9 paid by other employers.

10 "SEC. 503. No workers recruited under this title shall be
11 available for employment in any area unless the Director of
12 State Employment Security for such area has determined and
13 certified that (1) sufficient domestic workers who are able,
14 willing, and qualified are not available at the time and place
15 needed to perform the work for which such workers are to
16 be employed, and (2) the employment of such workers will
17 not adversely affect the wages and working conditions of
18 domestic agricultural workers similarly employed.

19 "SEC. 504. Workers recruited under this title who are
20 not citizens of the United States shall be admitted to the
21 United States subject to the immigration laws (or if already
22 in, and otherwise eligible for admission to, the United States
23 ~~shall~~ may, pursuant to arrangements between the United
24 States and the Republic of Mexico, be permitted to remain
25 therein) for such time and under such conditions as may be

1 specified by the Attorney General but, notwithstanding any
2 other provision of law or regulation, no penalty bond shall be
3 required which imposes liability upon any person for the
4 failure of any such worker to depart from the United States
5 upon termination of employment.

6 “SEC. 505. (a) Section 210 (a) (1) of the Social
7 Security Act, as amended, is amended by adding at the end
8 thereof a new subparagraph as follows:

9 ““(C) Service performed by foreign agricultural
10 workers under contracts entered into in accordance with
11 title V of the Agricultural Act of 1949, as amended.’

12 “(b) Section 1426 (b) (1) of the Internal Revenue
13 Code, as amended, is amended by adding at the end thereof
14 a new subparagraph as follows:

15 ““(C) Service performed by foreign agricultural
16 workers under contracts entered into in accordance with
17 title V of the Agricultural Act of 1949, as amended.’

18 “(c) Workers recruited under the provisions of this title
19 shall not be subject to the head tax levied under section 2
20 of the Immigration Act of 1917, 8 U. S. C., sec. 132).

21 “SEC. 506. For the purposes of this title, the Secretary
22 of Labor is authorized—

23 “(1) to enter into agreements with Federal and
24 State agencies; to utilize (pursuant to such agreements)
25 the facilities and services of such agencies; and to allo-

1 cate or transfer funds or otherwise to pay or reimburse
2 such agencies for expenses in connection therewith;

3 “(2) to accept and utilize voluntary and uncom-
4 pensated services; and

5 “(3) when necessary to supplement the domestic
6 agricultural labor force, to cooperate with the Secretary
7 of State in negotiating and carrying out agreements or
8 arrangements relating to the employment in the United
9 States, subject to the immigration laws, of agricultural
10 workers from ~~foreign countries within the Western~~
11 ~~Hemisphere~~ *the Republic of Mexico.*

12 “SEC. ~~508~~ 507. For the purposes of this title—

13 “(1) The term ‘agricultural employment’ includes
14 services or activities included within the provisions of
15 section 3 (f) of the Fair Labor Standards Act of 1938,
16 as amended, or section 1426 (h) of the Internal Reve-
17 nue Code, as amended, ~~horticultural employment, cotton~~
18 ~~ginning and compressing, crushing of oil seeds, and the~~
19 ~~packing, canning, freezing, drying, or other processing~~
20 ~~of perishable or seasonable agricultural products.~~

21 “(2) The term ‘employer’ ~~includes associations or~~
22 ~~other groups of employers shall include an association,~~
23 ~~or other group, of employers, but only if (A) those~~
24 ~~of its members for whom workers are being obtained are~~
25 ~~bound, in the event of its default, to carry out the obli-~~

1 gations undertaken by it pursuant to section 502, or
2 (B) the Secretary determines that such individual
3 liability is not necessary to assure performance of such
4 obligations.

5 “SEC. 508. Nothing in this Act shall be construed as
6 limiting the authority of the Attorney General, pursuant to
7 the general immigration laws, to permit the importation of
8 aliens of any nationality for agricultural employment as
9 defined in section 507, or to permit any such alien who
10 entered the United States legally to remain for the purpose
11 of engaging in such agricultural employment under such
12 conditions and for such time as he, the Attorney General,
13 shall specify.

14 “SEC. 509. No workers shall be made available under
15 this title for employment after December 31, 1952.”

82^d CONGRESS
1ST SESSION

S. 984

[Report No. 214]

A BILL

To amend the Agricultural Act of 1949.

By Mr. ELLENDER

FEBRUARY 27 (legislative day, JANUARY 29), 1951
Read twice and referred to the Committee on
Agriculture and Forestry

APRIL 11 (legislative day, MARCH 26), 1951

Reported with amendments

D I G E S T
OF
CONGRESSIONAL PROCEEDINGS
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Division of Legislative Reports
(For Department staff only)

Issued Apr. 13, 1951
For actions of Apr. 12, 1951
82nd-1st, No. 66

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HIGHLIGHTS: Sen. Aiken discussed inflation controls and opposed "freezing" of parity for farm commodities. House committee reported export-control bill. Rep. Dawson introduced bills to carry out Hoover Commission recommendations, including USDA reorganization. House debated military-training bill. President approved peanut bill.

HOUSE

1. MILITARY TRAINING. Continued debate on S. 1, the military training and service bill. Rejected, 140-232, the Barden amendment which would continue the draft with no provision for universal military training. (pp. 3860-902.)
2. EXPORT CONTROL. The Banking and Currency Committee reported without amendment H. J. Res. 197, to continue export-control authority through June 30, 1953 (H. Rept. 318)(p. 3913).
3. INDIA AID. Rep. Heller, N. Y., spoke in favor of shipment of wheat to India (p. 3907).

SENATE

4. INFLATION CONTROLS. Sen. Aiken discussed means of controlling inflation, recommending stricter credit controls, reduction in nonessential Government expenditures, increased taxes, and encouragement of investment by individuals in Government bonds. Sen. Aiken also opposed the "freezing of parity for farm commodities," and said that farmers "are afraid to plant this spring for fear that the price will be rolled back on them when the crop is ready to sell." (pp. 3842-4)
5. R.F.C. Began debate on S. Res. 76, to disapprove Reorganization Plan No. 1, regarding RFC (pp. 3819-20, 3830-5, 3839-40, 3844-51).
6. RESEARCH LANDS. Sen. Morse moved to reconsider the vote by which the Senate passed S. 271, which authorizes the transfer of a tract of land used for research in horse breeding to the Vermont Agricultural College, for agricultural purposes (p. 3819).
7. FARM ORGANIZATION. Sen. Butler, Mebr., inserted a Washington Daily News article

claiming that President Truman snubbed Allan B. Kline, president of the Farm Bureau, by not appointing him to the Mobilization Policy Advisory Board (p. 3852).

8. **NOMINATIONS.** The Interior and Insular Affairs Committee reported favorably the nomination of Richard D. Searles to be Under Secretary of Interior, and the Interstate and Foreign Commerce Committee reported favorably the nomination of Delos W. Rentzel to be Under Secretary of Commerce for Transportation (p. 3853).
Confirmed the nomination of John L. Rogers to be an Interstate Commerce Commissioner (p. 3854).
9. **INDIA AID.** Sen. Wiley inserted a Business and Professional Women's Club (River Falls, Wis.) resolution favoring the shipment of grain to India (p. 3815).
10. **FOREIGN TRADE.** Sen. Holland submitted an amendment he intends to propose to H. R. 1612, to extend the Trade Agreements Act (pp. 3816-7).
11. **FARM LABOR.** S. 984 as reported (see Digest 65), amends the Agricultural Act of 1949 so as to authorize the Labor Department to recruit farm workers from Mexico to relieve the farm labor shortage in the U. S. The farmers would be required to reimburse the U. S. up to \$20 per worker for expenses for transportation and subsistence of such workers and could arrange for such employment through associations or groups. The bill also provides that its provisions shall not be construed as limiting the authority of the Attorney General to permit the importation of aliens of any nationality for agricultural employment.
12. **BUILDINGS DISPERSAL.** S. 218 as reported (see Digest 65), authorizes GSA to construct 4 buildings outside of, but in the vicinity of D. C., for the accommodation of Government activities. Three of the buildings would be on sites to be acquired, and 1 on part of the site of the Agricultural Research Center, Beltsville, Md., and each would be designed to accommodate 5,000 employees. Directs GSA to demolish temporary buildings built in D. C. prior to and during War II as soon as space can be provided elsewhere. Authorizes GSA to assign and reassign space to executive agencies in and outside of D. C., and to provide for the transfer of not less than 25,000 positions from D. C. and its immediate vicinity. All executive agencies are directed to cooperate with GSA in carrying out the project. Authorizes appropriation of \$107,000,000 to carry out the provisions regarding the construction and demolition of buildings. And provides for the establishment of a Joint Congressional Committee on Dispersal, Demolition, and Decentralization composed of ten members, 5 from the S. Public Works Committee and 5 from the House Public Works Committee.

BILLS INTRODUCED

13. **REORGANIZATION.** Rep. Dawson, Ill., introduced the following bills to carry out the recommendations of the Hoover Commission: (The bills were referred to the Expenditures in Executive Departments Committee unless otherwise indicated.)
H. R. 3684, reorganization of the Department of Agriculture; to Agriculture Committee (p. 3914).
H. R. 3674, to establish principles and policies to govern generally the management of the executive branch. (p. 3913).
H. R. 3675, separation of subsidy from air-mail pay; to Interstate and Foreign Commerce Committee (p. 3913).
H. R. 3676, to place in GSA various activities in D. C. (p. 3913).
H. R. 3677, creating a Veterans' Insurance Corporation; to Veterans' Affairs Committee (p. 3913).

from 25

D I G E S T
OF
CONGRESSIONAL PROCEEDINGS
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Division of Legislative Reports
(For Department staff only)

Issued Apr. 26, 1951
For actions of Apr. 25, 1951
82nd-1st, No. 74

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Electrification.....8,11	transfer.....7	Transportation.....8,14
Flood control.....11	Minerals.....1	Twine.....1
Foreign affairs, aid.....5	National defense.....3	

HIGHLIGHTS: House debated Interior appropriation bill. House Rules Committee heard revised India aid bill. Senate passed bill to suspend copper-import tax, with amendment for duty-free imports of baler twine. Senate made farm-labor bill its unfinished business. Bill for transfer of Morgan Horse Farm to Vt. was sent to conference.

SENATE

1. **COPPER IMPORTS.** Passed with amendments H. R. 3336, to suspend certain import taxes on copper during the emergency (pp. 4434-55, 4461-3). Agreed to the Butler-Thye amendment making baler twine free of import duty (pp. 4452-5).
2. **RESEARCH LANDS.** Senate and House conferees were appointed on S. 271, to transfer the Morgan Horse Farm to the Vermont Agricultural College (pp. 4433-4, 4500).
3. **DEFENSE CONTRACTS.** Passed with amendment S. 998, to amend the Assignment of Claims Act of 1940 so as to encourage banks and other financial institutions to make loans to Government contractors on the assignment of Government contracts. The amendment was for the purpose of making the bill identical with H. R. 3692, which has been reported in the House. (pp. 4463-4.)
4. **FARM LABOR.** S. 984, the farm-labor supply bill, was made the unfinished business and printed in the Record with the committee amendments. Sen. Humphrey submitted minority views on the bill (S. Rept. 214, part 2). Sens. Anderson, Chavez, Lehman, and Gordon submitted amendments which they intend to propose to the bill. Sen. Ellender said a total of 22 amendments have been submitted so far. (pp. 4430, 4464-6.)

HOUSE

5. **INDIA AID.** The Rules Committee reported a resolution for consideration of H. R. 3791, to authorize a loan to India for purchase of agricultural products in this country (p. 4500).
6. **FOURTH SUPPLEMENTAL APPROPRIATION BILL.** The Appropriations Committee reported this bill, H. R. 3842, which consists of various items for the Department of Defense and the Atomic Energy Commission (H. Rept. 377)(p. 4473).

7. LAND TRANSFER. Received from the Defense Department a proposed bill to transfer a tract of Farmers' Home Administration land at Shumaker, Ark., to the Navy Department; to Agriculture Committee (pp. 4501-2).
8. INTERIOR APPROPRIATION BILL. Continued debate on this bill, H. R. 3790 (pp. 4473-99). Agreed to various amendments, including the following:
 - Various amendments, throughout the bill, to prohibit the purchase of passenger vehicles except for replacements (pp. 4477-9, 4493, 4495).
 - By Rep. Pickett, Tex., to reduce the Bureau of Land Management item by \$800,000 (pp. 4479-81), with a Jensen amendment requiring that \$1,200,000 of the BLM appropriation be used for soil conservation so that this activity would not suffer from the cut (pp. 4480-1).
 - By Rep. Wigglesworth, Mass., to reduce the "general investigations" item of the Bureau of Reclamation from \$5,000,000 to \$4,000,000, by a 78-52 vote (pp. 4497-9).
 - By Rep. Rees, Kans., to reduce from \$100 to \$50 the per-diem amount which the Bonneville Power Administration and the Bureau of Indian Affairs would be permitted to pay to experts and consultants (pp. 4473-7, 4493-4).
 - Rep. Carnahan, Mo., spoke against the Short amendment (which was previously agreed to in Committee of the Whole) to prohibit construction of the western Missouri power project, saying it would unduly restrict REA, and announced that he will demand a roll-call vote on the amendment before the bill is passed (p. 4496).
 - Rep. Taber, N. Y., offered an amendment to reduce by \$10,000,000 the amount for construction and rehabilitation of reclamation projects, and this amendment is the pending business (p. 4499).

BILL INTRODUCED

9. PERSONNEL. H. R. 3848, by Rep. Rogers, Mass., to establish the Federal Agency for Handicapped, to define its duties; to Education and Labor Committee (p. 4502)

ITEMS IN APPENDIX

10. DISPERSAL. Sen. Thye inserted a Washington Evening Star editorial, "Why Dispersal Was Shelved" (pp. A2404-5).
11. FLOOD-CONTROL; ELECTRIFICATION. Speeches of Reps. Hardy, Va., and Barden, N.C., opposing appropriations for the Buggs Island flood-control and electric-generating project (pp. A2405-6; A2414-5).
12. INFLATION. Rep. Wursell, Ill., inserted a Wage Earner Forum article discussing ways to fight inflation and urging reduction in nonessential expenditures (pp. A2416-7).
13. RECLAMATION. Rep. Poulson, Calif., inserted a Los Angeles (Calif.) Times editorial opposing the proposed central Arizona project (p. A2424).
14. ST. LAWRENCE SEAWAY. Rep. McGregor, Ohio, inserted W. D. Johnson's (Order of Railway Conductors) statement opposing this proposed project (p. A2443).

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COMMITTEE HEARINGS ANNOUNCEMENTS for Apr. 26: H. Agriculture, PMA operations and problems (Geissler to testify); H. Veterans' Affairs, direct VA farm-house loans under GI bill; H. Agriculture, tobacco problems (ex.); S. Armed Services, to amend Civil Defense Act; S. Finance, trade agreements; S. Post Office, postal rate increases; H. Ways and Means, revenue revision (ex.).

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United States
of America

PROCEEDINGS AND DEBATES OF THE 82^d CONGRESS, FIRST SESSION

Vol. 97

WASHINGTON, WEDNESDAY, APRIL 25, 1951

No. 74

Senate

(Legislative day of Tuesday, April 17, 1951)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

His Excellency, Norman J. O. Makin, Ambassador from the Commonwealth of Australia to the United States, offered the following prayer:

God, our father, the father of all mankind, Thou art the God that doest wonders. Thou art our refuge and strength, and we turn to Thee. In these days so tense and fraught with tremendous consequences for good or evil, we seek Thy guidance. Our God, we would remember the prophet who sought Thy voice, but who did not find it in the earthquake or the whirlwind. In all the confusions around us, may we turn to Thee and see the majesty of Thy power. In the face of common dangers, preserve us from evil intent or moral decay.

May we be resolute and united, conscious of our high calling in the affairs of the nations. May we be free from arrogance or hatred. Grant us wisdom and understanding in dealing with all men, with our friends and our enemies. With all radiance and power may we make these things self-evident, so that the world shall know that this is the way by which men are made free—that it is the truth alone that shall make men free.

Almighty God, we humbly beseech Thee to vouchsafe Thy blessing upon the President, the Vice President, and the people of this Nation. Prosper all wise deliberation in this Legislature, and bless every Member of this Senate in his individual and corporate responsibilities, to the advancement of Thy glory and the true welfare of the people of the United States of America.

In Thine infinite wisdom, bind the nations in the bonds of one accord. Grant that all men everywhere may turn to Thee and be moved by divine compassion. Preserve brave men and assuage their suffering. Grant us the blessings of peace with honor, and finally bring us all to the joys of Thine eternal kingdom. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. McFARLAND, and by unanimous consent, the reading of the

Journal of the proceedings of Tuesday, April 24, 1951, was dispensed with.

MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On April 24, 1951:

S. 60. An act for the relief of Cilka Elizabeth Ingrova; and

S. 379. An act to authorize relief of authorized certifying officers of terminated war agencies in liquidation by the Department of Labor.

On April 25, 1951:

S. 82. An act to provide reimbursement of expenses incurred in connection with the burial of those who served in the military forces of the Commonwealth of the Philippines while such forces were in the Armed Forces of the United States pursuant to the military order of the President of the United States, dated July 26, 1941.

LEAVES OF ABSENCE

On his own request, and by unanimous consent, Mr. CAIN was excused from attendance on sessions of the Senate Thursday and Friday of this week.

On request of Mr. HOLLAND, and by unanimous consent, he and Mr. SMATHERS were excused from attendance on the sessions of the Senate for the remainder of the week, to make a formal visit to the Florida Legislature, now in biennial session, with reference to both Federal and State matters.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. O'MAHONEY (for Mr. CHAVEZ), and by unanimous consent, the subcommittee of the Appropriations Committee having before it the Labor and Federal Security appropriation bill was authorized to sit during the session of the Senate today.

On request of Mr. KILGORE, and by unanimous consent, the subcommittee of the Appropriations Committee having before it the Treasury and Post Office appropriation bill was authorized to sit during the session of the Senate this afternoon.

CORRECTION

Mr. LODGE. Mr. President, I ask unanimous consent that a correction be made in my remarks in the April 4, 1951, RECORD.

On page 3347, center column, line 11, of my remarks, Corp. Mitchell Red Cloud, posthumous winner of the Congressional Medal of Honor, is stated as having Friendship, Wis., as his residence. This information was taken from the Department of the Army's official records. I am informed, however, by Representative HULL, of Wisconsin, that the proper address should be Merrillan, Wis., and I ask that this correction be made in the permanent RECORD.

The VICE PRESIDENT. The correction will be made.

TRANSACTION OF ROUTINE BUSINESS

Mr. McFARLAND. Mr. President, I ask unanimous consent that Senators be permitted to present petitions and memorials, submit reports, introduce bills and joint resolutions, and transact other routine business, without debate, and without speeches.

The VICE PRESIDENT. Without objection, it is so ordered.

PROPOSED SUPPLEMENTAL APPROPRIATION, LEGISLATIVE BRANCH (S. DOC. NO. 28)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a proposed supplemental appropriation, in the amount of \$75,000, for the legislative branch, fiscal year 1952, in the form of an amendment to the budget for said fiscal year, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

DEAN ACHESON—RESOLUTION OF LLOYD SPETZ POST, NO. 1, AMERICAN LEGION, BISMARCK, N. DAK.

Mr. YOUNG. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution adopted by Lloyd Spetz Post, No. 1, the American Legion, of Bismarck, N. Dak., with which I am fully in accord and I commend them for the action they have taken. It relates

to the proposed resignation or impeachment of Dean Acheson, Secretary of State.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Whereas the great majority of all patriotic citizens of the United States were shocked and astounded by the action of the President of the United States in relieving General MacArthur of his command; and

Whereas we deem such action of the President both unjustifiable and of grievous and dangerous consequences to the United States of America and to the world; and

Whereas this act has every appearance of further appeasement of the evil forces of communism now rampant in a divided world; and

Whereas it appears that the President has been unduly influenced in this, as well as other matters, by the Secretary of State, Dean Acheson, and that greater concern has been shown for the reactions of communism than for maintaining the highest standards of Americanism that have always and always should prevail in our great Nation; and

Whereas we deem that the best interests of the Nation demand that Dean Acheson, as Secretary of State, either resign or be impeached, the American people having lost all confidence in him long ago and it appearing that he and the State Department are out of touch and out of harmony with the thinking of our people, and that the feeling of many of the people of our country is that his actions have the appearance of the actions of a Judas: Now, therefore, in meeting duly assembled, the Lloyd Spetz Post, No. 1, of the American Legion of Bismarck, N. Dak., does hereby resolve that it is the sense of the meeting that Dean Acheson, as Secretary of State, must be retired from the Government for the good of the Nation, and that it is further the sense of this meeting that the Congress of the United States should immediately demand of the President of the United States that Dean Acheson, as Secretary of State, resign or that he be subjected to impeachment by the Congress; be it

Resolved, That it is the sense of this meeting that it is imperative that the Congress assert its leadership in this grave hour to safeguard the vital interests of the Nation and take whatever steps may be necessary to avert and prevent grave and serious errors of policy in the future that have prevailed in the recent past; be it further

Resolved, That a copy of this resolution be sent to the President of the United States, to Dean Acheson, Secretary of State, and to the entire congressional delegation of the State of North Dakota.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. PASTORE, from the Committee on the District of Columbia:

S. 945. A bill to amend the District of Columbia Teachers' Salary Act of 1947; with an amendment (Rept. No. 296).

PRINTING OF COMPILATION OF SOCIAL-SECURITY LAWS (S. DOC. NO. 27)

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, without amendment, Senate Resolution 125, and I ask unanimous consent for its immediate consideration.

There being no objection, the resolution (S. Res. 125) submitted by Mr. GEORGE on April 11, 1951, was considered and agreed to, as follows:

Resolved, That the compilation of social-security laws, prepared by the Social Security

Administration for the use of the Senate Committee on Finance, be printed as a Senate document.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. WHERRY. May I ask whether the action just taken was on the so-called Kem resolution?

Mr. HAYDEN. No. The resolution (S. Res. 125) was submitted by the Senator from Georgia [Mr. GEORGE]. It provides for the printing as a Senate document of a compilation of the social-security laws which was prepared for the use of the Committee on Finance.

FUNERAL EXPENSES OF THE LATE SENATOR ARTHUR H. VANDENBERG, OF MICHIGAN

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, without amendment, Senate Resolution 131, and I ask unanimous consent for its present consideration.

There being no objection, the resolution (S. Res. 131) submitted by Mr. FERGUSON on April 23, 1951, was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed to arrange for and attend the funeral of Hon. Arthur H. Vandenberg, late a Senator from the State of Michigan, on vouchers to be approved by the Committee on Rules and Administration.

AMENDMENT OF AGRICULTURAL ACT OF 1949—MINORITY VIEWS

Mr. HUMPHREY, as a member of the Committee on Agriculture and Forestry, submitted his minority views on the bill (S. 984) to amend the Agricultural Act of 1949, which were ordered to be printed as part 2 of Report No. 214.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. YOUNG:

S. 1380. A bill for the relief of Walter L. Monson; to the Committee on Finance.

By Mr. LANGER:

S. 1381. A bill authorizing the issuance of a patent in fee to Marcella Mentz Wicks; and

S. 1382. A bill authorizing the issuance of a patent in fee to Marcella Mentz Wicks; to the Committee on Interior and Insular Affairs.

S. 1383. A bill to provide education and training for veterans who apply for courses prior to July 25, 1951, but who are unable to initiate such courses prior to such date; to the Committee on Labor and Public Welfare.

By Mr. DWORSHAK:

S. 1384. A bill for the relief of Dwight A. Fry; to the Committee on the Judiciary.

By Mr. CORDON:

S. 1385. A bill to amend an act entitled "An act relating to the revested Oregon & California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon"; and

S. 1386 (by request). A bill to provide for the conservation of fish and wildlife on the Klamath Reservation, in Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

PREVENTION OF TRAFFIC IN WAR MATERIALS WITH ENEMIES

Mr. LANGER submitted the following concurrent resolution (S. Con. Res. 29), which was referred to the Committee on Foreign Relations.

Whereas some members of the United Nations have been and still are selling, bartering, trading, and otherwise procuring for the communistic countries engaged in fighting an undeclared war against us, strategic war materials and food, and by such conduct giving aid and comfort to our enemies; and

Whereas individuals, firms, corporations, and partnerships in this country have been and are now said to be engaged in selling, trading, giving, and bartering strategic war materials and food, thereby giving aid and comfort to our enemies: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That in case member countries of the United Nations are proven guilty of trafficking in such materials with our enemies in time of actual combat, the Congress of the United States shall instruct our delegates to the United Nations to offer a resolution to expel such guilty countries from membership in the United Nations.

Sec. 2. In case a citizen of this country or any resident thereof, who is so trafficking with our enemies as set forth in this resolution, shall be declared to be engaged in treasonable conduct against this country and that such persons be tried for treason as provided in the Constitution of the United States for levying war against the United States or giving aid and comfort to our enemies.

AMENDMENT OF AGRICULTURAL ACT OF 1949—AMENDMENTS

Mr. ANDERSON submitted amendments intended to be proposed by him to the bill (S. 984) to amend the Agricultural Act of 1949, which were ordered to lie on the table and to be printed.

Mr. CHAVEZ submitted amendments intended to be proposed by him to Senate bill 984, supra, which were ordered to lie on the table and to be printed.

Mr. LEHMAN submitted amendments intended to be proposed by him to Senate bill 984, supra, which was ordered to lie on the table and to be printed.

Mr. CORDON submitted an amendment intended to be proposed by him to Senate bill 984, supra, which was ordered to lie on the table and to be printed.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting several nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. HUMPHREY:

An address delivered by him on the subject Essentials of America's Foreign Policy, before the Foreign Policy Conference in St. Paul, Minn., April 14, 1951.

By Mr. WILEY:

An address delivered by him before the Virginia Federation of Women's Clubs at their convention in the Shoreham Hotel on April 24, 1951.

emergency to suspend temporarily for a period to be determined by it, the present import tax on copper under conditions which will not discourage or tend to discourage domestic exploration or production of copper.

In urging the Congress of the United States to suspend the tariff on copper the Colorado Mining Association, representing the mining industry of the State of Colorado and other western affiliated organizations, does not in any way change its position in strong opposition to any reduction in tariffs on other metals which are designed to equalize to a modest degree the differentials in costs between foreign production and domestic production. Nor does the Colorado Mining Association in endorsing this program change its position, which has always been and continues to be strongly in favor of encouraging domestic exploration, development, and production of domestic minerals from marginal as well as the preferred mining operations of this Nation.

The national economy requires that we continue in every way possible the encouragement of domestic mining, and that we build up as quickly as possible our stockpiles of metals so that this country will be prepared to meet any emergency which may arise involving the safety and security of our Nation.

THE COLORADO MINING ASSOCIATION,
BLAIR BURWELL, *President*.
ROBERT S. PALMER,
Executive Director.

Mr. GEORGE. Mr. President, I do not care to make any further argument except to say that the bill contains a committee amendment which was suggested by the junior Senator from Nevada [Mr. MALONE], which limits the life of the bill to a day fixed, or to the termination of the national emergency as declared by the President of the United States, whichever is earlier.

I think we might now have a vote on the bill. I am sure there is not any general opposition to it.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 3336) was read the third time, and passed.

The PRESIDING OFFICER. Without objection, the title will be amended to conform with the amendment previously adopted, offered by the Senator from Nebraska [Mr. BUTLER] for himself and the Senator from Minnesota [Mr. THYE].

FINANCING OF DEFENSE CONTRACTS BY BANKS AND OTHER FINANCING INSTITUTIONS

Mr. McFARLAND. Mr. President, I move that the Senate proceed to the consideration of Senate bill 998, Calendar No. 196.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 998) to facilitate the financing of the defense contracts by banks and other financing institutions, to amend the Assignment of Claims Act of 1940, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arizona.

Mr. CAPEHART. Mr. President—

Mr. McFARLAND. The Senator from Indiana does not wish to object to having the bill taken up, does he?

Mr. CAPEHART. No; I have no objection to having the bill taken up.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency, with amendments on page 2, line 12, after the word "into", to strike out "on or after July 1, 1950,"; in line 17, after the word "designate", to insert "except those contracts under which all work required by the contract has been completed prior to date of the enactment of this amendment"; in line 20, after the word "act", to insert "in connection with a factoring arrangement or"; in line 24, after the word "assignee", to insert "except payments in excess of amounts paid or loaned to the assignee under any factoring arrangement, loan, discount, or advance made in connection with or secured by the assignment"; on page 3, line 8, after the word "provide", to strike out the comma and "or be amended to provide,"; in line 13 after the word "payments", to insert "except payments in excess of amounts paid or loaned to the assignee under any factoring arrangement, loan, discount, or advance made in connection with or secured by the assignment"; in line 21, after the word "penalties", to strike out "(which terms does not include damages for failure of the assignor to perform the work required by the contract)" and insert "(which terms do not include amounts which may be collected or withheld from the assignor in accordance with or for failure to comply with the terms of the contract)"; on page 4, line 2, after the word "contract", to strike out the colon and the following proviso: "Provided, That, notwithstanding the provision of this sentence, the United States or any department or agency thereof may, on account of any claim against the assignor, withhold out of aggregate payments to be made under assigned contracts any amount remaining after payment to the assignee of an amount equal to the aggregate amount of the assignee's loans, discounts, and advances to the assignor which are secured by assignments under this act and which are outstanding as of the date of receipt by the assignee of written notice of the existence and amount of such claim against the assignor."

And after line 12, to insert a new section, as follows:

SEC. 2. That subsection (a) of the fourth proviso of the second paragraph of section 3477 of the Revised Statutes, as amended, and subsection (a) of the fourth proviso of the second paragraph of section 3737 of the Revised Statutes, as amended, be eliminated, and subsections (b), (c), and (d) of said provisos be redesignated as subsections (a), (b), and (c), respectively.

So as to make the bill read:

Be it enacted, etc., That, for the purpose of facilitating the financing of defense contracts but without prejudice to any rights accruing under the Assignment of Claims Act of 1940 as heretofore existing, sections 3477 and 3737 of the Revised Statutes, as amended by the Assignment of Claims Act of 1940 (U. S. C., title 31, sec. 203; and U. S. C., title 41, sec. 15), as amended, are further amended by striking out the following sentence of each such section: "Any contract entered into by the Department of the Army, Department of the Air Force, or the Navy Department may provide that payments to an assignee of any claim arising under such contract shall not be subject to reduction or set-off, and if it is so provided in such contract, such payments shall not be subject to reduction or set-off for any indebtedness of the assignor to the United States arising independently of such contract," and by inserting in lieu thereof the following: "In any case in which a claim under any contract entered into by the Department of the Army, the Department of the Navy, the Department of the Air Force, General Services Administration, Atomic Energy Commission, or any other department or agency of the United States which the President may designate, except those contracts under which all work required by the contract has been completed prior to date of the enactment of this amendment, is or has been assigned pursuant to this act in connection with a factoring arrangement or as security for any loan, discount, or advance or any commitment in connection therewith, any payments heretofore or hereafter made to the assignee, except payments in excess of amounts paid or loaned to the assignee under any factoring arrangement, loan, discount, or advance made in connection with or secured by the assignment, shall not be subject to recoupment, recapture, or any right of recovery as against the assignee for any liability of any nature of the assignor to the United States or any department or agency thereof, whether arising from or independently of such contract. Any such contract entered into on or after July 1, 1950, by such departments or agencies of the United States may provide that payments to be made to an assignee of any claim arising under such contract shall not be subject to reduction or set-off, and if such provision or one to the same general effect is contained in any such contract, such payments, except payments in excess of amounts paid or loaned to the assignee under any factoring arrangement, loan, discount, or advance made in connection with or secured by the assignment, shall not be subject to reduction or set-off (1) for any liability of any nature of the assignor to the United States or any department or agency thereof which arises independently of such contract, or (2) for any liability of the assignor on account of renegotiation, fines, or penalties (which terms do not include amounts which may be collected or withheld from the assignor in accordance with or for failure to comply with the terms of the contract), whether or not such liability arises from or independently of such contract."

SEC. 2. That subsection (a) of the fourth proviso of the second paragraph of section 3477 of the Revised Statutes, as amended, and subsection (a) of the fourth proviso of the second paragraph of section 3737 of the Revised Statutes, as amended, be eliminated, and subsections (b), (c), and (d) of said provisos be redesignated as subsections (a), (b), and (c), respectively.

Mr. CAPEHART. Mr. President, I wish to say that I think this bill is an excellent one, and should be passed promptly in the interest of the national defense effort.

Mr. ROBERTSON. Mr. President, I agree with my distinguished colleague on the Banking and Currency Committee that the enactment of this bill is urgently needed in the war effort. Our committee has reported the bill with amendments at the request of various of the Government agencies. Several of them suggested amendments. The General Accounting Office suggested a number of amendments. Our committee adopted those amendments and agreed unanimously to report the bill with the amendments to the Senate.

Subsequently the General Accounting Office suggested some minor changes, by way of amendment, in a draft of a corresponding bill for the House of Representatives. That bill has been unanimously reported by the House Judiciary Committee to the House of Representatives.

The Senate Committee on Banking and Currency is willing to accept the language of the House bill, because it is substantially the language of the Senate bill, but it clarifies the Senate bill in three minor particulars.

Mr. President, I now submit and send to the desk an amendment in the nature of a substitute for the entire bill. The amendment would strike out all after the enacting clause of the Senate bill and would substitute in lieu thereof the text of the House bill to which I have just referred.

I move the adoption of the amendment.

The PRESIDING OFFICER. The committee amendments, which are perfecting amendments, are first to be considered. They have precedence over an amendment in the nature of a substitute.

Mr. ROBERTSON. Mr. President, as I have stated, the committee voted to adopt the same amendments, but the committee now wishes to offer the text of the House bill as an amendment in the nature of a substitute for the Senate bill and all the committee amendments to it.

Mr. GEORGE. Mr. President, let me ask the distinguished Senator from Virginia whether the House bill is substantially the same as the Senate bill which, with amendments, has been reported to the Senate by the Senate Committee on Banking and Currency?

Mr. ROBERTSON. It is. If the Senator from Georgia wishes me to take the time to do so, I shall be glad to state the changes one by one.

Mr. GEORGE. Oh, no; that will not be necessary.

Mr. ROBERTSON. The amendment in the nature of a substitute, which I have just offered, makes a little more explicit what we were trying to do. One amendment relates to an offset of taxes.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement of the chief differences between Senate bill 993 and the House bill, House bill 3692.

There being no objection, the statement was ordered to be printed in the RECORD as follows:

The chief differences between S. 998 and H. R. 3692 are:

(1) The protection afforded the assignee against claims, including those involving the

so-called "no set-off" clause, would be limited under S. 998 to amounts loaned or advanced by the assignee, whereas H. R. 3692 would not impose such limitations. The reason for this difference is that as a practical matter it would be difficult to determine the exact amounts loaned or advanced where several contracts are assigned to an assignee and provision is made for revolving credits.

(2) H. R. 3692 specifically exempts the assignee from liability for taxes unpaid by the assignor, including social-security contributions, or liability for the withholding or nonwithholding of such taxes, whether arising from or independently of the contract. Whether or not assignees would be exempt from these liabilities under existing law is a matter of doubt, and S. 998 made no reference to this point.

(3) H. R. 3692 limits the applications of the "no set-off" clause to periods of "war or national emergencies proclaimed by the President or by act or joint resolution of the Congress."

H. R. 3692 has been unanimously reported in the House.

Mr. CAPEHART. Mr. President, I understand that the purpose is to substitute for the text of the Senate bill all after the enacting clause of the House bill as reported to the House. Is that correct?

Mr. ROBERTSON. That is exactly what I have proposed that we do; that is the amendment in the nature of a substitute which I have submitted.

Mr. CAPEHART. Yes; and we wish to vote upon it.

The PRESIDING OFFICER. Does the Senator from Virginia, acting on behalf of the committee, wish to withdraw the committee amendments?

Mr. ROBERTSON. Yes. I was directed to report the bill with the committee amendments, and I now wish to withdraw the committee amendments.

The PRESIDING OFFICER. Very well; it is so ordered.

The question now is on agreeing to the amendment in the nature of a substitute submitted by the Senator from Virginia.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The question now is on the passage of the bill.

Mr. HAYDEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arizona will state it.

Mr. HAYDEN. If we are adopting the text of the House bill as an amendment to the Senate bill, I do not understand why we do not pass the House bill, and be done with it.

Mr. ROBERTSON. Because the House has not yet passed the House bill; it has been reported to the House, but has not yet been passed by the House.

Mr. HAYDEN. Oh, that is different.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill (S. 998) was passed.

The bill as passed is as follows:

Be it enacted, etc., That section 1 of the Assignment of Claims Act of 1940, approved October 9, 1940 (54 Stat. 1029), is amended by striking out all after clause 3 of the

proviso and inserting in lieu thereof the following:

"4. That in the event of any such assignment, the assignee thereof shall file written notice of the assignment together with a true copy of the instrument of assignment with (a) the contracting officer or the head of his department or agency; (b) the surety or sureties upon the bond or bonds, if any, in connection with such contract; and (c) the disbursing officer, if any, designated in such contract to make payment.

"Notwithstanding any law to the contrary governing the validity of assignments, any assignment pursuant to the Assignment of Claims Act of 1940, as amended, shall constitute a valid assignment for all purposes.

"In any case in which moneys due or to become due under any contract are or have been assigned pursuant to this section, no liability of any nature of the assignor to the United States or any department, or agency thereof, whether arising from or independently of such contract, shall create or impose any liability on the part of the assignee to make restitution, refund, or repayment to the United States of any amount heretofore since July 1, 1950, or hereafter received under the assignment.

"Any contract of the Department of Defense, the General Services Administration, the Atomic Energy Commission, or any other department or agency of the United States designated by the President, except any such contract under which full payment has been made, may, in time of war or national emergency proclaimed by the President (including the national emergency proclaimed December 16, 1950) or by Act or joint resolution of the Congress and until such war or national emergency has been terminated in such manner, provide or be amended without consideration to provide that payments to be made to the assignee of any moneys due or to become due under such contract shall not be subject to reduction or set-off, and if such provision or one to the same general effect has been at any time heretofore or is hereafter included or inserted in any such contract, payments to be made thereafter to an assignee of any moneys due or to become due under such contract, whether during or after such war or emergency, shall not be subject to reduction or set-off for any liability of any nature of the assignor to the United States or any department or agency thereof which arises independently of such contract, or hereafter for any liability of the assignor on account of (1) renegotiation under any renegotiation statute or under any statutory renegotiation article in the contract, (2) fines, (3) penalties (which term does not include amounts which may be collected or withheld from the assignor in accordance with or for failure to comply with the terms of the contract), or (4) taxes, social security contributions, or the withholding or nonwithholding of taxes or social security contributions, whether arising from or independently of such contract.

"Except as herein otherwise provided, nothing in this act, as amended, shall be deemed to affect or impair rights or obligations heretofore accrued."

SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO

Mr. McFARLAND. Mr. President, I move that the Senate proceed to the consideration of Senate bill 984, Calendar No. 192.

The PRESIDING OFFICER. The bill will be reported by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 984), Calendar No. 192, to amend the Agricultural Act of 1949.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with amendments on page 1, line 9, after the word "from", to strike out "foreign countries within the Western Hemisphere (pursuant to arrangements between the United States and such countries) or from Hawaii or Puerto Rico", and insert "the Republic of Mexico (pursuant to arrangements between the United States and the Republic of Mexico)"; on page 2, line 5, after the word "States", to insert "under legal entry"; on page 3, line 15, after the word "for", to strike out "expenses incurred by it in the recruitment and transportation of workers under this title in such amounts, not to exceed \$20 per worker, as may be agreed upon by the United States and such employer" and insert "essential expenses, not including salaries or expenses of regular department or agency personnel, incurred by it for the transportation and subsistence of workers under this title in amounts not to exceed \$20 per worker"; on page 4, line 2, after "501 (5)", to strike out the comma and "an amount determined by the Secretary of Labor to be equivalent to the cost of returning such worker" and insert "and is apprehended within the United States, an amount determined by the Secretary of Labor to be equivalent to the normal cost to the employer of returning other workers"; in line 23, after the word "States", to strike out "shall" and insert "may, pursuant to arrangements between the United States and the Republic of Mexico"; on page 6, line 10, after the word "from", to strike out "foreign countries within the Western Hemisphere" and insert "the Republic of Mexico"; in line 12, to change the section number from "508" to "507"; in line 17, after the word "amended", to strike out the comma and "horticultural employment, cotton ginning and compressing, crushing of oil seeds, and the packing, canning, freezing, drying, or other processing of perishable or seasonable agricultural products"; in line 21, after the word "employer", to strike out "includes associations or other groups of employers" and insert "shall include an association, or other group, of employers, but only if (A) those of its members for whom workers are being obtained are bound, in the event of its default, to carry out the obligations undertaken by it pursuant to section 502, or (B) the Secretary determines that such individual liability is not necessary to assure performance of such obligations", and on page 7, after line 4, to insert a new section, as follows:

SEC. 508. Nothing in this act shall be construed as limiting the authority of the Attorney General, pursuant to the general immigration laws, to permit the importation of aliens of any nationality for agricultural employment as defined in section 507, or to permit any such alien who entered the United States legally to remain for the purpose of engaging in such agricultural employment under such conditions and for such time as he, the Attorney General, shall specify.

So as to make the bill read:

Be it enacted, etc., That the Agricultural Act of 1949 is amended by adding at the end thereof a new title to read as follows:

"TITLE V—AGRICULTURAL WORKERS

"SEC. 501. For the purpose of assisting in such production of agricultural commodities and products as the Secretary of Agriculture deems necessary, by supplying agricultural workers from the Republic of Mexico (pursuant to arrangements between the United States and the Republic of Mexico), the Secretary of Labor is authorized—

"(1) to recruit such workers (including any such workers temporarily in the United States under legal entry);

"(2) to establish and operate reception centers at or near the places of actual entry of such workers into the continental United States for the purpose of receiving and housing such workers while arrangements are being made for their employment in, or departure from, the continental United States;

"(3) to provide transportation for such workers from recruitment centers outside the continental United States to such reception centers and transportation from such reception centers to such recruitment centers after termination of employment;

"(4) to provide such workers with such subsistence, emergency medical care, and burial expenses (not exceeding \$150 burial expenses in any one case) as may be or become necessary during transportation authorized by paragraph (3) and while such workers are at reception centers;

"(5) to assist such workers and employers in negotiating contracts for agricultural employment (such workers being free to accept or decline agricultural employment with any eligible employer and to choose the type of agricultural employment they desire, and eligible employers being free to offer agricultural employment to any workers of their choice not under contract to other employers);

"(6) to guarantee the performance by employers of provisions of such contracts relating to the payment of wages or the furnishing of transportation.

"SEC. 502. No workers shall be made available under this title to any employer unless such employer enters into an agreement with the United States—

"(1) to indemnify the United States against loss by reason of its guaranty of such employer's contracts;

"(2) to reimburse the United States for essential expenses, not including salaries or expenses of regular department or agency personnel, incurred by it for the transportation and subsistence of workers under this title in amounts not to exceed \$20 per worker; and

"(3) to pay to the United States, in any case in which a worker is not returned to the reception center in accordance with the contract entered into under section 501 (5) and is apprehended within the United States, an amount determined by the Secretary of Labor to be equivalent to the normal cost to the employer of returning other workers from the place of employment to such reception center, less any portion thereof required to be paid by other employers.

"SEC. 503. No workers recruited under this title shall be available for employment in any area unless the Director of State Employment Security for such area has determined and certified that (1) sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed, and (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed.

"SEC. 504. Workers recruited under this title who are not citizens of the United States shall be admitted to the United States subject to the immigration laws (or if already in, and otherwise eligible for admission to, the United States may, pursuant to arrange-

ments between the United States and the Republic of Mexico, be permitted to remain therein) for such time and under such conditions as may be specified by the Attorney General but, notwithstanding any other provision of law or regulation, no penalty bond shall be required which imposes liability upon any person for the failure of any such worker to depart from the United States upon termination of employment.

"SEC. 505. (a) Section 210 (a) (1) of the Social Security Act, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended."

"(b) Section 1426 (b) (1) of the Internal Revenue Code, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended."

"(c) Workers recruited under the provisions of this title shall not be subject to the head tax levied under section 2 of the Immigration Act of 1917, 8 U. S. C., sec. 132).

"SEC. 506. For the purposes of this title, the Secretary of Labor is authorized—

"(1) to enter into agreements with Federal and State agencies; to utilize (pursuant to such agreements) the facilities and services of such agencies; and to allocate or transfer funds or otherwise to pay or reimburse such agencies for expenses in connection therewith;

"(2) to accept and utilize voluntary and uncompensated services; and

"(3) when necessary to supplement the domestic agricultural labor force, to cooperate with the Secretary of State in negotiating and carrying out agreements or arrangements relating to the employment in the United States, subject to the immigration laws, of agricultural workers from the Republic of Mexico.

"SEC. 507. For the purposes of this title—

"(1) The term 'agricultural employment' includes services or activities included within the provisions of section 3 (f) of the Fair Labor Standards Act of 1938, as amended, or section 1426 (h) of the Internal Revenue Code, as amended.

"(2) The term 'employer' shall include an association, or other group, of employers, but only if (A) those of its members for whom workers are being obtained are bound, in the event of its default, to carry out the obligations undertaken by it pursuant to section 502, or (B) the Secretary determines that such individual liability is not necessary to assure performance of such obligations.

"SEC. 508. Nothing in this act shall be construed as limiting the authority of the Attorney General, pursuant to the general immigration laws, to permit the importation of aliens of any nationality for agricultural employment as defined in section 507, or to permit any such alien who entered the United States legally to remain for the purpose of engaging in such agricultural employment under such conditions and for such time as he, the Attorney General, shall specify.

"SEC. 509. No workers shall be made available under this title for employment after December 31, 1952."

Mr. ELLENDER. Mr. President, does the majority leader desire to have us proceed with the consideration of the bill this evening?

Mr. McFARLAND. I wish to have the bill made the unfinished business. I understand that the Senator from Illinois [Mr. DIRKSEN] wishes to make a speech,

but I wish to have the motion to proceed to the consideration of the bill agreed to.

The PRESIDING OFFICER. That motion has been agreed to.

Mr. McFARLAND. Very well.

Mr. ELLENDER. I asked the question for the reason that 22 amendments have been submitted, either yesterday or today, to the bill, and I assume that it might be better to postpone until tomorrow the further consideration of the bill.

Mr. McFARLAND. I understand that the distinguished Senator from Illinois [Mr. DIRKSEN] wishes to make a speech upon another matter. I had supposed that his speech would last until approximately 5 o'clock. If it does, at that time we shall go over until tomorrow.

Mr. DIRKSEN. Mr. President, my speech might take longer than that.

Mr. McFARLAND. At any rate, Mr. President, I hope it will be possible to conclude today's session by 5 o'clock, but perhaps I am simply expressing a hope.

INCREASES IN ARMED FORCES OF MEMBERS OF THE ATLANTIC PACT

Mr. CAPEHART. Mr. President, I hold in my hand a United Press dispatch from London, which I should like to read:

The United States will have more men under arms by midsummer than all the European members of the Atlantic Pact nations combined, a survey disclosed.

The survey also showed that the building up of armed forces among the Western European members of the pact has been slow.

Since General Eisenhower came to Europe in January, the armies of these countries have increased only a little more than 50,000 men.

So, Mr. President, we see that the increase in their armies has been only some 50,000 men since January, whereas the United States has been taking into its Army—I think I am correct as to this—more than 50,000 men a month.

I read further from the dispatch:

By midsummer the combined land forces of the European pact members will have been increased only a little more than 100,000.

According to unofficial estimates, the European members of the pact will have about 1,400,000 ground troops by July 1, compared with a United States Army of about 1,550,000 men.

The population of the Western European pact members is 173,200,000, compared with 151,800,000 in the United States.

Mr. President, that is a United Press dispatch from London, and it indicates to me that the European countries which are members of the Atlantic Pact certainly are not very excited or very enthusiastic about building up their armed forces, because, so the dispatch states, since General Eisenhower arrived there in January, those countries have increased their armies by only a little more than 50,000 men, and by midsummer their combined land forces will have increased only a little more than 100,000 men.

Mr. President, here is another example, of course, of how the United States is carrying the bulk of the load, because we are increasing our Armed Forces, I am certain, at the rate of more than 50,000 men a month, and possibly more

than that, and we are spending billions and billions of dollars in our defense effort. I understand that we have already appropriated nearly \$5,000,000,000 for military aid. On the other hand, manpower is what the European members of the Atlantic Pact have the most of, and some 11 nations in Western Europe are involved. However, the sum total of their land forces is much less than the United States Army; and those Atlantic Pact nations have increased the size of their armies by only about 50,000 men, in total, since January. It is now almost the end of April, and it has been 4 months since General Eisenhower went to Europe. Yet in that time the armies of the Atlantic Pact countries in Western Europe have been increased by only approximately 50,000 men, in total. I think that information should be placed in the RECORD, because I think Congress should know what those nations are doing and what they are not doing in the way of cooperation in the present so-called world struggle.

WHICH IS THE WAR PARTY?

Mr. DIRKSEN. Mr. President, I am very reluctant to detain the Senate at this late hour in the afternoon, but it becomes necessary to make a record now and then, as time permits, and I think there is a record to be made upon a matter which has engaged the attention of the Senate and which has come as somewhat in the nature of a challenge. I remember some years ago a colleague of mine in the House of Representatives introduced a bill to amend the Constitution of the United States to provide for three Vice Presidents. I used to josh him a good deal about it. I said, "You should have made it four," because in his proposal and in an explanatory note he set forth what the duties of each of the three Vice Presidents should be. I said, "John, you ought to have made it four Vice Presidents." I am more persuaded to that point of view today than ever before, because it has occurred to me that, as never before, we need a Vice President in charge of confusion.

Confusion has come to be on a calculated and organized basis, and nothing seems to indicate that better than some of the statements which have been made on the floor of the Senate. Quite recently the distinguished Senator from Minnesota [Mr. HUMPHREY], among other things, as recorded on page 3837 of the RECORD, said:

It is becoming clear to me that today the Democratic Party is becoming the peace party, and, unfortunately, under its present leadership, the Republican Party, the war party.

That represents such a confused state of mind—and I say it with the utmost of charity in my heart—that probably confusion ought to be put under direction.

Also, recently on the Senate floor, the very distinguished Senator from Oklahoma [Mr. KERR], as recorded in the CONGRESSIONAL RECORD of April 17, on page 4080, said:

Out of the shouting and tumult of this debate the fact that emerges bold and clear is that the Democratic Party continues to be the peace party, while many Republican

leaders have succeeded in showing that theirs is the war party.

So, there are two distinguished exponents of democracy who are trying to pin the war label upon the Republican Party, and for aught I know it may be that the President of the United States rather shares that highly political viewpoint, because the President, among other things, in that celebrated \$100-a-plate-dinner speech to commemorate the anniversary of Andrew Jackson, said:

There are some people, I am sorry to say, who are playing petty politics right now with the future of the country and the peace of the world. These people seem to think that it is more important to win the next election than it is to prevent another world war.

I don't want any Democrat to have any such ideas.

Of course, for one who has received his training in the very practical school of politics in the great State of Missouri, I can readily understand that statement; but I see its implications. I see also allusions in the press from time to time to the effect that there will be a concerted effort to designate the Republican Party as the war party and keep serenity and tranquillity and peace and light as the shield of the Democratic Party and of the administration now in power. I say it is confusing, Mr. President, because there comes into my mind a rather interesting experience which I had in 1945. To be exact, that experience took place on VE-day, and I happened to be in Paris when the commanding officer of what they call the Com-Z said, "What do you want to do?" I said, "Oh, just give me a GI and an automobile, and leave me to my devices." And so in the mellow Paris sunshine, this GI drove me around the Bois de Boulogne, and at last we reached the historic city of Versailles, laid out with its distinct formal beauty and serenity by one of the Bourbon kings, Louis XIV.

The first thing I saw on VE-day afternoon was a 75 millimeter fieldpiece mounted outside the gates of Versailles. It was manned by American artillerymen. That always strikes a responsive note in my heart, because I was an artilleryman and a wagon soldier once myself in World War I. At long last I went through the gates and up to the great building which had become headquarters. I noticed a sign on the door. It said "Ferme." It was closed. They knew that it was going to be VE-day, and so it was a holiday, and they were waiting for the official announcement at 3 o'clock Paris time, when the guns would boom a salute, and officially VE-day would be announced.

As I was standing there, and then going around the building, knocking on one door after another, my ear heard the Le Marsellaise, as people, out of the fullness of their hearts and with gratitude in their souls, began to sing that spirited song. After a while I got a response to my knock, and an old gendarme appeared. The first thing I noticed was that he was minus one arm. I polished off my best French, and I said, "Vous etes Soldat." He said, "Oui." I said, "Where did you fight?" He said, "Soisson, Cantigny, and other places."

IMPORTATION OF FOREIGN AGRICULTURAL WORKERS

APRIL 25 (legislative day, APRIL 17), 1951.—Ordered to be printed

Mr. HUMPHREY, from the Committee on Agriculture and Forestry,
submitted the following

MINORITY VIEWS

[To accompany S. 984]

This bill, S. 984, was favorably reported by the committee, after hearings, but before the issuance of the report of the President's Commission on Migratory Labor on April 7, 1951.

The President's Commission was created in June 1950 to inquire, among other matters, into:

- (a) social, economic, health and educational conditions among migratory workers, both alien and domestic, in the United States;
- (b) problems created by the migration of workers, for temporary employment, into the United States, pursuant to the immigration laws or otherwise;
- (c) whether sufficient numbers of local and migratory workers can be obtained from domestic sources to meet agricultural labor needs and, if not, the extent to which the temporary employment of foreign workers may be required to supplement the domestic labor supply.

The Commission held 12 public hearings in Brownsville, Tex.; El Paso, Tex.; Phoenix, Ariz.; Los Angeles, Calif.; Portland, Oreg.; Fort Collins, Colo.; Memphis, Tenn.; Saginaw, Mich.; Trenton, N. J.; West Palm Beach, Fla.; and two in Washington, D. C. The hearings comprised 26 volumes available to the public. The published report of the Commission comes to 188 pages.

The findings of the Commission bear directly upon the legislation under consideration.

There is no doubt but that it would be far preferable had the members of the committee and the Senate had opportunity to study the report of the Commission before voting and considering this bill.

The reason given for proceeding on this bill at this time is the urgency to enact legislation to enable importation of Mexican agricultural workers beyond June 31, 1951.

The minority, after considering this bill in the light of the Commission's report, believes that the problem of migratory labor is an interrelated one, and affects workers within the United States and

in other countries as well. It should be studied in its broad ramifications and comprehensively rather than by piecemeal legislation such as this. The Committee on Labor and Public Welfare through its Subcommittee on Labor and Labor-Management Relations, and in accordance with the Legislative Reorganization Act, has now begun such a study with a view to legislation. The interests of the United States and of American workers would be best protected were the Congress to approach the problem of migratory labor in such a perspective. We would far prefer, therefore, to have this bill delayed until the Congress is prepared to consider and enact comprehensive manpower legislation.

Within the limits of S. 984 and its limited objectives, the minority, in the light of the Commission report, has certain modifications and amendments to present which are presented here in topical form.

The fundamental legislative assumption behind this bill is that an agricultural labor shortage exists which requires the immediate importation of foreign labor for its relief. The majority in describing the background of the legislation under consideration observes that—

Throughout World War II and since the termination of hostilities, it has been necessary to import agricultural workers from foreign countries in order to assist in the production of adequate supplies of food and fiber for domestic consumption in the United States and for export.

The report of the President's Commission bears this out, but the startling finding of the Commission in this matter is—

From 1945 through 1948, we employed a continuously larger hired labor force even though our work requirement (total man-hours) was gradually declining. In other words, we have been using more workers to achieve the same or slightly less work, and have thereby been reducing the work contribution per worker. This fact is strikingly reflected in the amount of employment received per hired farm worker:

*Days of farm work
per farm worker*

1946	113
1947	106
1948	104
1949	90

The Commission comments, "The migratory worker gets so little work that for him, employment is only incidental to unemployment."

It is the view of the President's Commission that the human resource in agriculture is used extravagantly. However, the Commission recognizes that more efficient utilization of agricultural labor will take time, that it cannot be expected to occur in a few weeks or months. Accordingly, it make divergent recommendations with respect to the importation of foreign workers, one recommendation for the short-run and one recommendation for the long-run. For 1951, it recommends that "No special measures be adopted to increase the number of alien contract laborers beyond the number admitted in 1950." For the long-run it recommends that "Future efforts be directed toward supplying agricultural labor needs with our own workers and eliminating dependence on foreign labor."

The finding of the President's Commission with respect to the underutilization of agricultural manpower corroborates the research of the staff of the Joint Committee on the Economic Report which published its findings in a joint committee print, *Underemployment of Rural Families*, February 2, 1951. The staff of the Joint Committee on the Economic Report was concerned with farm workers as a whole

rather than primarily migrant workers. Through analysis of five groups of low-income farm workers it reached the conclusion:

If the workers in these five groups of rural families could be employed at jobs where they would produce as much as the average worker on the medium-sized commercial family farm or the average rural nonfarm worker, the production and output of rural people would be increased 20 to 25 percent. This is the equivalent of adding 2,500,000 workers to the total labor force.

If there is any justification to the bill, therefore, it is to meet an immediate, temporary need. Considered in the restricted terms in which its sponsor put forward the bill, certain further changes may be made in S. 984 to incorporate certain of the findings of the President's Commission. It is believed that proposed changes might usefully be considered against four broad criteria:

(1) That the Mexican importation program be carried out in such a manner as to minimize detriment to American workers.

(2) That devices be strengthened for assuring that both parties to the individual work contract—employer and employee—will live up to their agreements.

(3) That more effective measures be taken to meet the wetback problem.

(4) That the cost to the public of the Mexican importation program be kept to a minimum.

With respect to the first proposition, certain further changes in S. 984 suggest themselves. Section 503 of the committee bill provides that foreign workers may be made available where the Director of State Employment Security for the area of use has determined and certified that willing, able and qualified domestic workers are not available for employment at the time and place needed.

In substituting the director of State employment for the United States Secretary of Labor, S. 984 makes an abrupt departure from past immigration policy. Under section 3 of the 1917 immigration law, contract laborers are not admissible to the United States except under discretionary powers granted the Commissioner General of Immigration with the approval of the Secretary of Labor. In our view, it would be a step backward to change this and to call for certification by the State director of employment. In our American economy we have a national market. This is true of labor in the same way it is true of automobiles and radios. To propose State determination labor shortage is the same as to propose State autonomy in tariff matters. A labor shortage must be determined from a national perspective.

In order that all interested groups may have the opportunity of effectively expressing their views as to the need for foreign workers, it is proposed that the Secretary of Labor hold public hearings in areas of alleged labor shortage. In this way he may receive the advice of all interested parties.

Inasmuch as a labor supply is necessarily determined in terms of the attractiveness or unattractiveness of the employment offer, it is clearly impossible to know whether or not a shortage of domestic workers exists until domestic workers have been offered the terms and conditions of employment extended to foreign workers. It might at first be thought that domestic workers customarily were offered terms and conditions of employment comparable to those offered foreign

and offshore workers. The finding of the President's Commission in this matter is quite the opposite. The Commission observes:

* * * employers, *as a rule*, refuse to extend to * * * [domestic migratory workers] the guaranties they give to alien workers whom they import under contract. These include guaranties of employment, workmen's compensation, medical care, standards of sanitation, and payment of the cost of transportation. [Emphasis added.]

We believe further protection should be given domestic workers under the Mexican importation program by adding the requirement, before certifying the need for foreign workers, that reasonable efforts will have been made to secure American workers for the employment. This further emphasizes the important role of the Farm Placement Service of the United States Employment Service in assisting workers to find employment.

S. 984 exempts workers brought in under its provisions from the Federal old-age and survivors insurance provisions of the Social Security Act.

The bill amends the Internal Revenue Code so as to exclude the service performed by such workers from the contribution provisions of the law as well as from the benefit provisions of the insurance program under the Social Security Act. Both the employer and the employee are exempted from the social-security tax.

Under the amendments to the Social Security Act, enacted by the Congress in 1950, a limited group of "regularly employed" agricultural workers were brought in under the insurance provisions effective January 1, 1951. In order for an agricultural worker and his employer to become subject to the insurance contributions, an individual must work for one employer for at least 60 days each out of two consecutive quarters, before any of his agricultural work becomes subject to the contribution provisions of the insurance program. In most cases, it will be necessary for an individual to work 6 or 8 months for one agricultural employer before any of his agricultural work will be subject to contributions under the insurance program. Due to the relatively short period of time that Mexican contract workers work for a single employer, very few of them will meet the stringent requirements of the new law and consequently very few of them and their employers will be subject to the social-security contributions. It is estimated that not more than 3,000 to 5,000 Mexican workers would become subject to the social-security provisions under the terms of the proposed program and, of course, if all of the Mexican agricultural labor brought into this country return to Mexico within about 5 or 6 months, there would be none of the Mexican nationals who would become subject to the contribution provisions of the insurance program.

But it is still true that the exclusion of Mexican workers from the insurance program could result in the hiring of such workers in preference to American workers since their employers would have the competitive advantage of not paying social-security contributions and it appears to be undesirable to give employers, as a matter of general congressional policy, a financial incentive to hiring foreign labor as against hiring domestic labor.

The major issue, therefore, that is raised by the provision exempting Mexican nationals from the social-security provisions of the law is a matter of fundamental principle and national policy. Since its enactment in 1935, the insurance program under the Social Security Act

has covered individuals in specific types of jobs in the United States without regard to the nationality of the individual. It should be noted that social-insurance systems in a number of foreign countries, including Mexico, do not discriminate against American nationals performing services in covered employment. This principle of nondiscrimination as between the United States nationals and the nationals of other countries has been advocated and endorsed by the International Labor Organization, by numerous representatives of social-security institutions of various countries, and by the Inter-American Committee on Social Security. A change in this policy which would establish the principle of exclusion because of nationality may eventually result in more harm than good because of the possibility of criticism arising against the United States for discrimination in the application of its social laws. Such criticism would not be in the long-run interest of the United States in world affairs.

One of the reasons given for supporting the exemption in the proposed bill is that the employee should not be required to pay the payroll tax if he is not going to become eligible for any social-security benefits. This difficulty can be overcome by the employer paying the employee contribution as well as his own, without deducting the employee contribution from the employee's wages. This policy is permitted under the present law.

It should be pointed out that that many Mexican nationals are already covered under the insurance program and will continue to be covered under the insurance program in the future. Mexican nationals who come to the United States for employment and work in jobs covered under the insurance system have been covered under the program since it first began in 1937. Many Mexican nationals employed in the manufacturing industry, canning, service trades, and domestic service are now contributing to the insurance system. The exemption of one group of Mexican workers while retaining coverage for other groups of Mexican workers would introduce undesirable discrimination. If the employment is rendered within the United States, the present law provides for contributions being paid on such service and benefits being paid to Mexican nationals and their families even though they may be residing in Mexico. At the present time, the Social Security Administration is making payments to Mexican nationals residing in Mexico based upon the employment contributions made for service under the law.

If, despite these various considerations, the Congress is of the opinion that some special arrangements should be made on behalf of Mexican nationals brought into the United States for short-term employment, it is suggested that consideration be given to the desirability of transferring the contributions made on behalf of the Mexican contract workers to the Mexican Social Insurance Institute. Such an arrangement would be consistent with a sound policy of international cooperation of nondiscrimination of nationals to other countries and eliminate any contention of giving an incentive to employment of foreign nationals to the detriment of domestic labor.

Before embarking upon a policy which may have far-reaching implications and adverse effects upon the insurance program and upon our foreign policy, it is recommended that the exemption provision in the bill be deleted pending the final determination of a long-run policy in keeping with the principles upon which our social insurance program has been based in the past.

"Notwithstanding any other provision of law or regulation" S. 984 exempts employers of Mexican workers from posting bond to guarantee departure of these workers. It is understandable how the committee recommended this step. It received much testimony on the expense and the frequent unfairness to employers of the bond requirement. Employers testified before the committee that under the existing provision of the law they were required to post bond to guarantee departure of the worker, yet they did not have it within their power to hold the worker to employment. If the worker took it in mind to walk off some night, there was no way that they could stop him.

Important as this factor is in determining policy on this question, certain other considerations need to be taken into account. While it is true that the employer does not have the power to compel the worker to remain in his employment, the President's Commission found that there tended to be correlation over a period of years in the rate of desertions from employers. The Commission found that—

Desertions from individual contracting employers range from as low as 4 percent to as high as 50 percent. Moreover, it is noted that there is a tendency for those employers having a high desertion rate in 1 year also to have a high desertion rate the next. We interpret this to mean that desertions from contract vary with individual management and working conditions. Where these are good, the desertions are low.

While such correlation could not be taken to explain each individual desertion, the evidence of continuing high desertion rates from some employers and continuing low desertion rates from other employers is so striking, that a relationship between desertion and working conditions would seem inescapable. Accordingly, we are of the view that while it is appropriate to recognize that no employer has it wholly within his power to guarantee contract workers remaining in employment, that he does, however, have a measure of control in this respect.

In discussion of the Mexican contract, it is useful briefly to note practice with respect to the bond requirement for other foreign workers and for Mexican workers in earlier years. On this point, the President's Commission observes:

These bonds, for British West Indians, have been as high as \$500 per head. For Mexicans, the bond is now \$25 per head. For Bahamians, it is \$50; for Jamaicans, \$100. In 1950, the bond for Mexicans was set at \$50, but under pressure from employers, the amount was reduced to \$25.

If the bond provision for Mexican workers were altogether removed, the present inequity in the differing sizes of these bond requirements would be further heightened.

Before considering abandonment of the bond requirement, it is appropriate to examine the thinking which led to the enactment of the provision originally. The 1917 immigration law was concerned with protecting the standards and conditions of work for American workers from the competition of cheaper immigrant labor. It, therefore, flatly prohibited admission of contract labor, but to provide for unusual or emergency situations granted discretionary authority to the Commissioner General of Immigration with the approval of the Secretary of Labor for temporary admission of such labor. In order to regulate and control the temporary admission of otherwise inadmissible aliens, the act called for the exaction of bonds. Inasmuch as we are today still vitally concerned with the protection of the standards for American workers, we believe that when exception is made and

emergency importation of contract labor permitted that it should be accompanied by regulatory and controlling devices. We are, therefore, convinced that it would be unwise to abandon this protection to American workers.

In order to assure effective and satisfactory contract operations, it is fundamental that both parties to a contract live up to the obligations assumed. One of the complaints of the Government of Mexico has been the unsatisfactoriness of measures taken in the past to assure that United States employers will live up to the terms of the individual work contract. Accordingly, it will be noted that S. 984 provides that the United States Government guarantee "performance by employers of provisions of such contracts relating to the payment of wages or the furnishing of transportation." We are of the view that this provision should be broadened to include other payments due under such contracts. Similarly, it is felt appropriate to ask the Government of Mexico to take such measures as it deems appropriate to assure that workers coming to the United States under this program, will honor their obligations under the contract.

In order to assure more satisfactory performance on the part of both parties to the individual work contracts, we believe that the grievance machinery should be materially strengthened. The President's Commission found that—

The lack of an appropriate way of resolving employer-worker differences is one of the main reasons for a large proportion of Mexican nationals returning home before the completion of their contracts or simply deserting or "skipping" their contracts.

Existing conciliation machinery is not adequate. The President's Commission observes:

Complaints alleging violation of the individual work contract may be initiated in three ways: Officially by the United States Employment Service or privately by either worker or employer. If an officially initiated complaint is not adjusted, the Mexican consulate is called in for a joint investigation. Complaints from workers may be received by the United States Employment Service or submitted through the appropriate Mexican consulate. Complaints by employers are received by the United States Employment Service. On all types of complaints the Mexican consulate may be called in for joint investigation and determination.

As a matter of practice, we find that while employers may refer some complaints to the United States Employment Service, workers' complaints are ordinarily referred initially to the Mexican consulate. Let it be borne in mind that this conciliation procedure is contained in the international agreement (in English, which the typical Mexican worker cannot read) but is incorporated only by reference in the individual work contract (where the Spanish-reading Mexican worker finds out in Spanish that there is a conciliation procedure available to him if he could read English).

In 1950, the United States Employment Service had nine inspectors detailed to handle grievances under the Mexican program. This number has recently been increased to 15, but this still seems altogether inadequate. We again quote the report of the President's Commission:

For the farm employer or association of farm employers, the conciliation provision may be somewhat more adequate than it is for the foreign workers with a language handicap in a strange land. To expect the Mexican contract worker to locate one of the nine United States Employment Service inspectors or to relay his complaint to them through the State employment service is to expect more than is within his capability. Consequently, if he can get in touch with the Mexican consulate, that is about the best he can do. This cumbersome and complicated procedure, involving several Government agencies in general and none in particular, encourages desertion in place of making a complaint because every complaint has the potentiality of being lost or ignored.

Accordingly, we recommend that the United States Employment Service expand its conciliation service.

We believe that S. 984 does not go far enough in meeting the serious social, economic, and security problem represented by the influx of hundreds of thousands of wetbacks over our southern border. The committee comments on "the great economic and social problems" which the wetbacks represent.

The concern of the committee with the wetback problem is fully shared by the President's Commission. The one difference between the two groups could be said to relate to the estimate concerning the magnitude of the recent "invasion," which the committee puts at 1,000,000. The President's Commission is more conservative in its estimate of the number of wetbacks. The Commission uses the figure of half a million.

The committee explicitly comments on the inadequacy of present measures to deal with the wetback problem. Its concern is reflected in the important amendment to section 501 of the bill prohibiting recruitment of wetbacks. Possibly through oversight, the comparable amendment to section 504 has not been made, so that as the bill currently stands it is inconsistent on this vital point. It is accordingly proposed that 504 be amended in the manner of 501. The term "vital" is used deliberately, for it is the view of the President's Commission that one of the most important factors in the recent acceleration of the wetback traffic is the legalization of illegals. It comments:

The latest and probably worst stage in this erosion of immigration law was when, under the authority of the ninth proviso, Mexican wetbacks were legalized and placed under contract. The ninth proviso allows the temporary admission and return of otherwise inadmissible aliens—under rules and conditions. * * * In the contracting of wetbacks, we see the abandonment of the concept that the ninth proviso authority is limited to admission. A wetback is not admitted; he is already here, unlawfully. We have thus reached a point where we place a premium upon violation of the immigration law.

Prohibition of the legalization of workers illegally in the United States, while most important to the solution of the wetback problem, is not enough to meet the dimensions of the current "invasion." The President's Commission suggests other valuable steps which may be taken. It recommends that legislation be enacted making it unlawful to employ aliens illegally in the United States. It recommends that the Immigration and Naturalization Service be given clear statutory authority to enter places of employment to determine if illegal aliens are employed. We are of the view that these recommendations of the President's Commission are of utmost importance.

The fourth criterion which we proposed as guide to the measures to be included in a Mexican importation program, is that the cost of the program to the public be kept to a minimum. We view as unrealistic the figure of \$20 to cover the round-trip cost of transportation of workers between recruitment centers in Mexico and reception centers in the United States as well as their subsistence during this period. In this connection, it is pertinent to bear in mind that it would be highly unusual if workers were hired by United States employers directly upon their arrival at the reception centers. Therefore, subsistence needs to be considered not only during the period of travel but for the period that they spend at the reception center awaiting employment.

HUBERT H. HUMPHREY.

APPENDIXES

APPENDIX A

RECOMMENDATIONS OF THE PRESIDENT'S COMMISSION ON MIGRATORY LABOR

I. FEDERAL COMMITTEE ON MIGRATORY FARM LABOR

We recommend that:

(1) There be established a Federal Committee on Migratory Farm Labor, to be appointed by and responsible to the President.

(2) The Committee be composed of three public members and one member from each of the following agencies:

Department of Agriculture,
Department of Labor,
Department of State,
Immigration and Naturalization Service, and
Federal Security Agency.

(3) The public members be appointed by the President. One public member should serve full time as chairman and the other two on a part-time basis. The Government representatives should be appointed by the President on the nomination of the heads of the respective agencies. The Committee should have authority, within the limits of its appropriation, to establish such advisory committees as it deems necessary.

(4) The Federal Committee on Migratory Farm Labor have the authority and responsibility, with adequate staff and funds to assist, coordinate, and stimulate the various agencies of the Government in their activities and policies relating to migratory farm labor, including such investigations and publications as will contribute to an understanding of migratory farm-labor problems, and to recommend to the President, from time to time, such changes in administration and legislation as may be required to facilitate improvements in the policies of the Government relating to migratory farm labor. The Committee should undertake such specific responsibilities as are assigned to it in the recommendations set forth in this report and as may be assigned to it by the President.

In general, however, the Committee should have no administrative or operating responsibilities; these should remain within the respective established agencies and departments.

(5) Similar agencies be established in the various States. The responsibilities and the activities of the Federal Committee on Migratory Farm Labor and those of the agencies established in the States should be complementary and not competitive. The State agencies should be encouraged to carry forward those programs in behalf of migratory farm workers which, by their nature, fall within the responsibility of individual States. The Federal Committee will have major concern with interstate, national, and international activities. But at all times there should be close consultation between the Federal and State agencies and a two-way flow of information, suggestions, and effective cooperation.

II. MIGRATORY FARM LABOR IN EMERGENCY

Our investigations of the present farm labor problem and our analysis of this country's experience during the years of World War II and since, point to certain conclusions which to us seem inescapable in the present emergency. We therefore recommend that:

(1) First reliance be placed on using our domestic labor force more effectively.

(2) No special measures be adopted to increase the number of alien contract laborers beyond the number admitted in 1950.

(3) To meet any supplemental needs for agricultural labor that may develop, preference be given to citizens of the offshore possessions of the United States, such as Hawaii and Puerto Rico.

(4) Future efforts be directed toward supplying agricultural labor needs with our own workers and eliminating dependence on foreign labor.

III. ALIEN CONTRACT LABOR IN AMERICAN AGRICULTURE

We recommend that—

(1) Foreign labor importation and contracting be under the terms of intergovernmental agreements which should clearly state the conditions and standards of employment under which the foreign workers are to be employed. These should be substantially the same for all countries. No employer, employer's representative or association of employers, or labor contractor should be permitted to contract directly with foreign workers for employment in the United States. This is not intended to preclude employer participation in the selection of qualified workers when all other requirements of legal importation are fulfilled.

(2) The United States-Mexican intergovernmental agreement be in terms that will promote immigration law enforcement. The Department of State should negotiate with the Government of Mexico such a workable international agreement as will assure its operation as the exclusive channel for the importation of Mexican nationals under contract, free from the competition of illegal migration.

(3) Administration of foreign labor recruiting, contracting, transporting, and agreements be made the direct responsibility of the Immigration and Naturalization Service. This should be the principal contracting agency, and private employers should secure their foreign workers exclusively from the Immigration and Naturalization Service.

(4) The Farm Placement Service of the United States Employment Service certify to the Immigration and Naturalization Service and to the Federal Committee on Migratory Farm Labor when and if labor requirements cannot be filled from domestic sources and the numbers of additional workers needed. On alien contract labor, the United States Employment Service and the various State employment services should be advised by the tripartite advisory council provided for in the Wagner-Peyser Act, or by tripartite subcommittees of the council. However, no certification of shortage of domestic labor should be made unless and until continental domestic labor has been offered the same terms and conditions of employment as are offered to foreign workers. After certifying the need for foreign workers, the United States Employment Service should have no administrative responsibilities in connection with any foreign labor program.

(5) In accordance with the policies of the Federal Committee on Migratory Farm Labor, the Immigration and Naturalization Service arrange, subject to the terms of the intergovernmental agreements then in force, for the importation of the number of qualified foreign agricultural workers certified as needed by the United States Employment Service, and transport them to appropriate reception and contracting centers in the United States.

(6) The Immigration and Naturalization Service deliver the imported workers to the farm employers who have submitted the necessary applications and bonds, and who have signed individual work agreements. Employment should be under the general supervision of the Immigration and Naturalization Service. An adequate procedure for investigating and resolving complaints and disputes originating from either party should be negotiated in the international agreements and should be incorporated in the standard work contracts. The Immigration and Naturalization Service should be authorized to terminate any contract of employment and remove the workers, and to refuse to furnish foreign workers to any employer or association of employers when there has been repeated or willful violation of previous agreements, or where there is reasonable doubt that the terms of the current agreement are being observed. The Immigration and Naturalization Service should, in the discharge of its obligations, receive such assistance from the United States Employment Service as it may request.

(7) Puerto Rico and Hawaii, as possessions of the United States, be recognized as part of the domestic labor supply, and workers from these Territories be accorded preference over foreign labor in such employment as they are willing and suited to fill.

(8) Where a government-to-government agreement provides for the payment of the prevailing wage to foreign contract workers, this wage be ascertained by public authority after a hearing. The policies, procedures, and responsibilities involved should be determined by the Federal Committee on Migratory Farm Labor.

IV. THE WETBACK INVASION—ILLEGAL ALIEN LABOR IN AMERICAN AGRICULTURE

We recommend that—

(1) The Immigration and Naturalization Service be strengthened by (a) clear statutory authority to enter places of employment to determine if illegal aliens are employed, (b) clear statutory penalties for harboring, concealing, or transporting illegal aliens, and (c) increased appropriations for personnel and equipment.

(2) Legislation be enacted making it unlawful to employ aliens illegally in the United States, the sanctions to be (a) removal by the Immigration and Naturalization Service of all legally imported labor from any place of employment on which any illegal alien is found employed; (b) fine and imprisonment; (c) restraining orders and injunctions; and (d) prohibiting the shipment in interstate commerce of any product on which illegal alien labor has worked.

(3) Legalization for employment purposes of aliens illegally in the United States be discontinued and forbidden. This is not intended to interfere with handling of hardship cases as authorized by present immigration laws.

(4) The Department of State seek the active cooperation of the Government of Mexico in a program for eliminating the illegal migration of Mexican workers into the United States by (a) the strict enforcement of the Mexican emigration laws, (b) preventing the concentration, in areas close to the border, of surplus supplies of Mexican labor, and (c) refraining from attempts to obtain legalization for employment in the United States of Mexican workers illegally in this country.

V. HOW MIGRATORY WORKERS FIND EMPLOYMENT

We recommend that:

(1) Federal legislation be enacted to prohibit interstate recruitment of farm labor by crew leaders, labor contractors, employers, employers' agents, and other private recruiting agents except when such agents are licensed by the Department of Labor. The Federal Committee on Migratory Farm Labor should develop appropriate standards for regulating and licensing such private agents.

(2) States enact legislation and establish enforcement machinery to regulate and license labor contractors, crew leaders, and other private recruiting agents operating intrastate, such legislation to include private solicitors or recruiters operating on a fee or nonfee basis, either part time or year round. The standards of regulation should at least equal those established by the Federal Committee on Migratory Farm Labor. The recommendations of the Governor's Committee of California suggest the form and content of such State legislation.

(3) The United States Employment Service and the State employment services adopt a policy of refusing to refer workers to crew leaders, labor contractors, or private recruiting agents for employment.

(4) The United States Employment Service adopts regulations and administrative procedures to safeguard interstate recruiting and transporting of workers, by providing that—

(a) Terms of employment be reduced to writing, such written terms to contain a provision for the adjustment of grievances.

(b) Housing and transportation arrangements available to workers meet the minimum standards established by the Federal Committee on Migratory Farm Labor.

(c) State employment services shall not recruit farm workers outside their States or assist in bringing farm workers in from other States unless the United States Employment Service is assured that the State does not have the necessary labor available within its own borders.

(5) Neither the United States Employment Service nor State employment services join with employers, employers' associations, or other private recruiting agents in mass advertising for interstate recruitment.

(6) In order to achieve better utilization of the national domestic farm-labor supply, States having legislation restricting recruitment of workers for out-of-State employment (emigrant agent laws) undertake repeal of such legislation.

(7) The Federal Committee on Migratory Farm Labor establish transportation standards of safety and comfort (including in-transit rest camps). States should be guided by the transportation standards of the Federal Committee on Migratory Farm Labor as minimum conditions to govern intrastate transportation of migratory farm workers.

(8) The United States Employment Service and the State employment services be advised on farm-labor questions by the tripartite advisory councils as provided for in the Wagner-Peyser Act or by tripartite subcommittees of the councils.

VI. EMPLOYMENT MANAGEMENT AND LABOR RELATIONS

We recommend that:

(1) The Agricultural Extension Service, through its Federal office and in those States where migratory labor has significant proportions, make instruction in farm-labor management and labor relations available to farm employers and to farm employees. The Agricultural Extension Services should also make available advice and counsel for the organizing of farm-employer associations similar to those sponsored during World War II, which associations should have the purpose of pooling their joint labor needs to promote orderly recruiting, better employer-worker relations, and more continuous employment.

(2) The Labor-Management Relations Act of 1947 be amended to extend coverage to employees on farms having a specified minimum employment.

VII. EMPLOYMENT, WAGES, AND INCOMES

We recommend that:

(1) The Congress enact minimum-wage legislation to cover farm laborers, including migratory laborers.

(2) State legislatures give serious consideration to the protection of agricultural workers, including migratory farm workers, by minimum-wage legislation.

(3) Federal and State unemployment compensation legislation be enacted to cover agricultural labor.

(4) Because present unemployment compensation legislation is not adapted to meeting the unemployment problems of most migratory farm workers, the Federal Social Security Act be amended to provide matching grants to States for general assistance on the condition that no needy person be denied assistance because of lack of legal residence status.

VIII. HOUSING

We recommend that:

(1) The United States Employment Service not recruit and refer out-of-State agricultural workers and the Immigration and Naturalization Service not import foreign workers (pursuant to certifications of labor shortage) unless and until:

(a) The State in which the workers are to be employed has established minimum housing standards for such workers together with a centralized agency for administration and enforcement of such minimum standards on the basis of periodic inspections. These State housing standards, in their terms and in administration, should not be less than the Federal standards hereinafter provided.

(b) The employer or association of employers has been certified as having available housing, which at recent inspection has been found to comply with minimum standards for housing then in force in that State.

(2) Federal minimum standards covering all types of on-job housing for migratory workers moving in interstate or foreign commerce be established and promulgated by the Federal Committee on Migratory Farm Labor. These standards, administered through a State license system, should govern site, shelter, space, lighting, sanitation, cooking equipment, and other facilities relating to maintenance of health and decency.

(3) Any State employment service requesting aid of the United States Employment Service in procuring out-of-State workers submit, with such request, a statement that the housing being offered meets the Federal standards.

(4) The Agricultural Extension Service in those States using appreciable numbers of migratory workers undertake an educational program for growers concerning design, materials, and lay-out of housing for farm labor.

(5) The Department of Agriculture be empowered to extend grants-in-aid to States for labor camps in areas of large and sustained seasonal labor demand provided the States agree to construct and operate such camps under standards promulgated by the Federal Committee on Migratory Farm Labor. Since such projects are to be constructed and operated for the principal purpose of housing agricultural workers and their families, preference of occupancy should be given those engaged in seasonal agricultural work. Costs should be defrayed by charges to occupants.

(6) When housing is deficient in areas where there is large seasonal employment of migratory farm workers, but where the seasonal labor need is of short duration, the Department of Agriculture establish transit camp sites without individual housing. These camp sites should be equipped with water, sanitary facilities including showers, laundry, and cooking arrangements. They should be adequately supervised.

(7) The Department of Agriculture be authorized, and supplied with the necessary funds, to extend carefully supervised credit in modest amounts to assist migratory farm workers to acquire or to construct homes in areas where agriculture is in need of a considerable number of seasonal workers during the crop season.

(8) States be encouraged to enact State housing codes establishing minimum health and sanitation standards for housing in unincorporated areas.

(9) The Public Housing Administration of the Housing and Home Finance Agency develop a rural nonfarm housing program to include housing needs of migrants in their home-base situation.

IX. HEALTH, WELFARE, AND SAFETY

We recommend that:

(1) In amending the Social Security Act to provide matching grants to States for general assistance (as we recommend in chapter 7), provision be made to include medical care on a matching-grant basis for recipients of public assistance on the condition that no person be denied medical care because of the lack of legal residence status.

(2) The Public Health Service Act be amended to provide, under the supervision of the Surgeon General, matching grants to States, to conduct health programs among migratory farm laborers to deal particularly with such diseases as tuberculosis, venereal disease, diarrhea, enteritis, and dysentery, and to conduct health clinics for migratory farm workers.

(3) The United States Employment Service make no interstate referrals of migratory farm workers unless the representative of the State requesting the labor shall give evidence in writing that neither the State nor the counties concerned will deny medical care on the grounds of nonresidence, and that migratory workers will be admitted to local hospitals on essentially the same basis as residents of the local community.

(4) The Federal Committee on Migratory Farm Labor and the appropriate State agencies undertake studies looking toward the extension of safety and workmen's compensation legislation to farm workers.

(5) The Federal Social Security Act be amended to include migratory farm workers as well as other agricultural workers not now covered under the Old-Age and Survivors Insurance program.

X. CHILD LABOR

We recommend that—

(1) The 1949 child-labor amendment to the Fair Labor Standards Act be retained and vigorously enforced.

(2) The Fair Labor Standards Act be further amended to restrict the employment of children under 14 years of age on farms outside of school hours.

(3) State child-labor laws be brought to a level at least equal to the present Fair Labor Standards Act and made fully applicable to agriculture.

(4) The child-labor provisions of the Sugar Act be vigorously enforced.

XI. EDUCATION

We recommend that:

(1) The Federal Committee on Migratory Farm Labor, through the cooperation of public and private agencies, including the United States Office of Education, State educational agencies, the National Education Association, universities, and the American Council on Education, develop a plan which will provide an adequate program of education for migratory workers and their children. This may include Federal grants-in-aid to the States.

(2) The Agricultural Extension Services, in fuller discharge of their statutory obligations to the entire farm population, provide educational assistance to agricultural laborers, especially migratory workers, to enable these people to increase their skills and efficiency in agriculture and to improve their personal welfare. The Extension Services should also give instructions to both farm employers and farm workers on their respective obligations and rights, as well as the opportunities for constructive joint planning in their respective roles as employers and employees.

The Agricultural Extension Services should expand their home-demonstration work to supply the families of farm workers, particularly migratory farm workers, instruction in nutrition, homemaking, infant care, sanitation, and similar subjects.

In substance, the Commission recommends that the Agricultural Extension Services assume the same responsibility for improving the welfare of farm workers as for helping farm operators.

(3) The Federal Government, in accordance with the long-standing policy that agricultural extension work is a joint responsibility of the Federal Government and the several States, share in the cost of the proposed educational program for farm workers and their families.

APPENDIX B

EXCERPT FROM UNDEREMPLOYMENT OF RURAL FAMILIES

MIGRATORY FARM LABOR

Some underemployed farm families leave their farms during the harvest season and supplement their farm incomes by picking cotton, fruit, potatoes, tomatoes, or other crops; others forsake their farms entirely and attempt to make a living by following the crop harvest. Through years of varying economic conditions relatively permanent groups of workers have developed who meet the peak-season labor needs in various parts of the country. These are principally but not exclusively from farm sources. They have developed rather definite paths of movement from the winter work areas in Florida, south Texas, Arizona, and southern California to summer harvest areas in the north.

The number of people in this migratory work force has varied with crop conditions, prices of farm products, displacement by mechanization, and the general level of nonagricultural employment. It has also changed with the opportunity to go into urban occupations. According to a Nation-wide survey made in 1949 there were slightly more than 1,000,000 people over 14 years of age in this work force at that time.⁶ This number includes several hundred thousand workers from across the Mexican border who compete with domestic labor for the work that is available.

Farm people who go into the migratory labor force do so from lack of better opportunity and then merely change to another and less secure type of underemployment. According to the survey previously mentioned, the average number of days of employment for migratory workers over the country in 1949 was 101, 70 days in farm work and 31 more in nonfarm employment.

Three factors enter into this underemployment. First, a period of several slack months when there is little seasonal employment to be found. Second, irregular and intermittent employment during the harvest season. Some harvests are over-supplied with workers, others last for such a brief period that the amount of work obtained by a worker is small. The third factor is too large a supply of workers for the amount of work available. Migratory workers compete with local seasonal and year-round workers for employment. The latter, too, then suffer from underemployment; during 1949, they had a total of 120 days' employment of which 91 days were in farm work and 29 in nonfarm jobs.⁷

The earnings from the 101 days of farm work which the migratory workers obtained in 1949 amounted to an average of \$514.⁷ The value of housing, transportation, and other perquisites amounts to \$36 more.⁸ At an average of two workers per family, total family incomes averaged \$1,028 cash or \$1,100 with perquisites. This amount had to feed, clothe, shelter, and educate a family of four.

Underemployment and low earnings are not the only problems among migratory farm workers. Poor housing, lack of sanitation and medical care, child labor, and educational retardation of the children, all tend to make them a disadvantaged group. They have little voice either in community, State, or national affairs and are unable to make effective demands to relieve their situation.

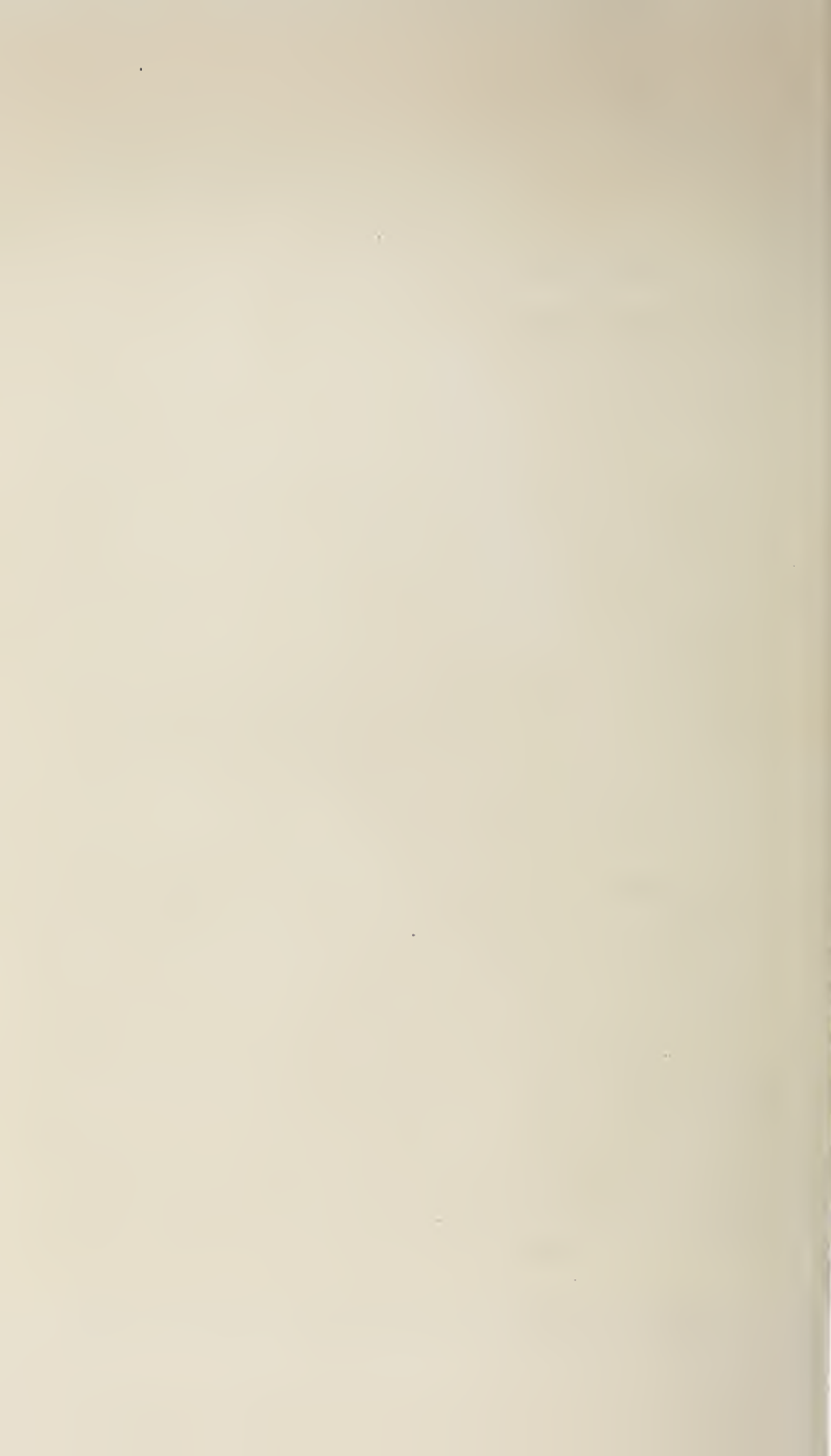
Although they are most essential to meet peak season demands for gathering in the national food supply, they are explicitly excluded from national legislation which protects and advances the rights of workers. Their position is the most precarious of any in our economy. They have no definable job rights and are so far removed from the employer group that they are unable to obtain redress for grievances.

Rather than hire seasonal and migratory workers directly and individually, it is a widespread practice among farm employers to hire in crews through labor contractors, crew chiefs, or labor recruiters. In many areas it is virtually impossible for a worker to obtain a job directly from the farm employer. As a consequence of these practices, a farm worker has to pay heavily from his already-too-low earnings for the privilege of getting work to do.

⁶ Migratory Farm Workers in 1949, Louis J. Ducoff, Bureau of Agricultural Economics, 1950.

⁷ Migratory Farm Workers in 1949, Louis J. Ducoff, Bureau of Agricultural Economics, 1949.

⁸ Perquisites Furnished Hired Farm Workers, Barbara B. Reagan, Bureau of Agricultural Economics, 1945.



licensed persons would be given warnings of their price violations and could suffer suspension of licenses, for a period not to exceed 12 months, for failure to heed such warnings. Appropriate judicial review of suspension actions is provided.

Rent stabilization

Section 105 introduces in the Defense Production Act a new title IV-A on rent stabilization. Under this title the President is granted permissive authority to establish maximum rents on housing accommodations and on business accommodations in any area in which he deems such action necessary to effectuate the objectives of the act.

Title IV-A provides that for housing accommodations under control at the effective date of the Defense Production Act amendments of 1951, the maximum rents shall be the maximum rents in effect on that date. Mandatory provision is made for adjustment in rents to cover increases in operating and maintenance costs for which landlords have not been previously compensated. For all other housing accommodations the maximum rents may be established by the President giving due consideration to rents prevailing on comparable housing accommodations during the May 24 to June 24, 1950, period, but no consideration shall be given to increases in rents after January 25, 1951. The President is given permissive authority to make such individual and general adjustments increasing or decreasing rents as may be necessary to remove hardships or to correct inequities. Provision for furnishing general information and assistance to tenants and small landlords is included in the title. The President, upon his own initiative or upon that of local advisory boards (which are continued in existence or reconstituted, as the case may be, under this title) may provide for decontrol of maximum rents when he deems maintenance of such control no longer necessary to effectuate the purposes of the title.

For business accommodations, the President may establish maximum rents giving due consideration to rents prevailing on such date as he deems appropriate, but in no event earlier than June 24, 1950. Individuals and general adjustments increasing or decreasing maximum rents may be made to remove hardships or to correct inequities.

Provision is made in this title for protest, review and enforcement procedures, similar to those provided in title IV of the Defense Production Act relating to price and wage stabilization, and criminal sanctions are also provided.

The authority of title IV-A is to be administered through the new independent agency (the Economic Stabilization Agency) created under section 403 of the Defense Production Act.

Control of credit

Section 106 revises section 602 (d) (1) of the act so as to extend control of credit on real estate to existing as well as to new construction. In addition, criminal sanctions are made applicable to violations of orders or regulations issued under section 605 of the act dealing with Government real estate loan programs. Finally, specific authority is added to section 605 for the enforcement of conditions and requirements imposed in connection with the relaxation of residential credit controls under that section.

Section 106 also adds to the Defense Production Act a new subtitle B—Commodity Speculation—which amends the Commodity Exchange Act so as to authorize the President, when he deems such action necessary, to prescribe rules and regulations covering margin requirements for speculative purchases or sales on commodity exchanges. Specific provision is made preserving bona fide hedging transactions.

General provisions

Section 107 makes appropriate changes in the table of contents of the Defense Production Act.

Section 108 makes the following changes in title VII of the Defense Production Act:

(1) Revises section 703 (a) of the act to provide authority for the payment of compensation to one person who is the head of an agency created under the Defense Production Act at a rate comparable to the compensation paid heads of executive departments.

(2) Introduces two new provisions authorizing the President (a) to obtain information necessary in evaluating existing legislative and administrative provisions for national defense, and (b) to dispense with any of the statistical work presently required by law where such action is deemed by the President to be in the interest of national defense.

(3) Changes section 706 of the act to broaden the relief a court may grant when the Government seeks to enjoin violations of the act. This would make it clear that there could be restitution even though no injunctive relief is ordered.

(4) Provides that Federal courts shall have exclusive jurisdiction of criminal cases and of civil cases except where otherwise provided in the act regardless of the amount in controversy, and makes a technical correction to assure effective enforcement of the criminal sanctions provided in the act.

(5) Authorizes the President to provide for the printing and distribution, in such number and manner as he deems appropriate, of reports on the actions taken to carry out the objectives of the Defense Production Act.

(6) Extends the Defense Production Act to June 30, 1953.

TITLE II. MISCELLANEOUS

Section 201 repeals the Housing and Rent Act of 1947, as amended, but preserves outstanding actions with respect to offenses committed, or rights or liabilities incurred under the act prior to its repeal. In addition, it is provided that the powers, duties and functions of this section shall be administered by the President through the new independent agency created under section 403 of the Defense Production Act. Provision is made for the transfer to that agency of the functions, records, personnel, and unexpended funds, and so forth, of the Office of the Housing Expediter.

Section 202 provides for veterans' preference in the purchase and rental of newly constructed and newly converted housing accommodations. The President is authorized to administer these provisions and may delegate such authority to any officer or agency of the Government. This authority terminates on June 30, 1953, unless terminated earlier by Presidential proclamation or by a concurrent resolution of the Congress. The veterans' preference provisions are similar to those contained in the existing Housing and Rent Act of 1947, as amended, which are now being administered by the Housing Expediter.

In addition, section 202 specifically repeals the provisions of certain appropriation acts according priority rights to World War II veterans in the acquisition of materials required for the construction, alteration, or repair of dwellings to be occupied by them. Any priorities on materials or housing facilities granted to World War II veterans under the Veterans Housing Act of 1946 and prior to the enactment of the Defense Production Act amendments of 1951 are specifically preserved.

Mr. AIKEN. Mr. President, I have just listened to the reading of the mes-

sage the President has sent to Congress. It is extremely unfortunate that the President has made certain of those proposals at the beginning of the planting season. If the President had set out to find the most effective way to reduce crop production in the United States for this year, he could hardly have found a more effective means than the proposal to freeze the parity prices of farm commodities as of a single date and to hold that freeze for a year.

Mr. President, parity can not be frozen; when the parity price is frozen, it ceases to be parity.

What the President is proposing is not to freeze parity, but to destroy the parity formula.

Mr. President, all of us know that the prices of certain farm commodities will vary as much as 100 percent from one part of the year to another. How can we do what the President demands—in other words, freeze the parity prices as of a certain date—and require those prices to be held for 1 year? If the parity prices of agricultural products are frozen out of season, that is unfair to the consumers. If those prices are frozen when they are lowest, certain self-appointed spokesmen for consumers might be happy, but certainly the result would be to bring the American farmers almost to the point of disaster.

Mr. President, it is apparent that those who for years have harbored the hope of making the farmer dependent upon a Government check for his income, are still guiding the hand of the administration. If the parity prices of agricultural products are frozen as of a certain date, the result will be entirely unfair, for we know that the price of labor is bound to rise, we know that the charges for transportation are constantly rising, and we know that the prices of the things farmers have to buy are constantly rising. We know that interest charges already are on the rise. When those price increases occur, if the prices of the things the farmers produce are frozen, so that those prices cannot rise with the rise in the prices of the things farmers have to buy, the result is to put a squeeze on the farmer, so that he has the choice of either going out of business or of calling on the Government for a hand-out to enable him to keep in production.

Mr. President, let me repeat that it is most unfortunate that the President has seen fit to make such an outlandish and unfair proposal at the very beginning of the planting season. The result can only be reduced planting in a year when maximum production is of vital importance.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. MAYBANK. Is it not a fact that the prices of the things produced by farmers never go up until all other prices rise; in other words, that the parity price is based on the prices of the things the farmers have to buy, and that any change in the parity price follows the changes in other prices?

Mr. AIKEN. The Senator from South Carolina is absolutely correct. Farm parity prices never lead the way to higher wage or cost levels; they always follow. If the cost of goods and services which the farmer has to buy is kept down, parity prices have to stay down.

Mr. MAYBANK. In other words, the higher wage levels lead the parity price levels.

Mr. AIKEN. The Senator is absolutely correct.

Mr. MAYBANK. I thank the Senator.

Mr. AIKEN. Mr. President, let me repeat. I am amazed at a proposition of this kind being placed before the Congress at a time when we are trying to induce maximum production of farm crops.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. YOUNG. I wonder whether the Senator from Vermont does not feel, as I do, that there would be no objection whatever to the policy proposal if wages and industrial goods prices were also frozen at present prices, or frozen at least once a year, as would be the case with respect to commodity prices.

Mr. AIKEN. That would be the only fair way to do, although I do not think there is any absolutely fair way of freezing wages, either, or industrial prices or industrial profits. Quite recently the OPS announced the freezing of profits at not to exceed 85 percent of the profits which prevailed for a corporation during the three best years of the period 1946-49. It did not mean that each manufacturer might make up to 85 percent of the profit he made during those years. It meant, and it has been made plain, that he may make up to 85 percent of the average profit made by the industry during the 3 years. It leaves the independent manufacturer in a very unenviable position. He cannot possibly compete with great corporations who have been financed at Government expense and who have virtual access to the United States Treasury in carrying on their work. In regard to the order freezing profits: Although I think we should try to find some means of keeping them from getting out of hand, yet that is going to react to the serious disadvantage of the small-business man.

Mr. YOUNG. Mr. President, will the Senator yield further?

Mr. AIKEN. I yield.

Mr. YOUNG. This price freeze comes at a time, does it not, when industrial profits are at an all-time high?

Mr. AIKEN. Absolutely. On the subject of profits and wages, I think it was pointed out to a House committee by the Secretary of Agriculture yesterday, or possibly day before yesterday, that the farmer's dollar will now buy 50 percent less goods than in 1945, and that the average hourly earnings of the farmer of 69 cents an hour is 9 cents an hour less than the average hourly earnings of the farmer's hired man. Farm labor for the country averages 78 or 79 cents an hour at the present time. The average hourly earnings of the farmer—

the man who owns the farm; the man who, with his family, tries to run it—was given by the Secretary as 69 cents an hour, or 6 cents an hour less than the minimum wage allowed to the poorest worker coming under the minimum-wage law.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Snader, its assistant reading clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 3336) to suspend certain import taxes on copper; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DOUGHTON, Mr. COOPER, Mr. DINGELL, Mr. MILLS, Mr. REED of New York, Mr. JENKINS, and Mr. SIMPSON of Pennsylvania were appointed managers on the part of the House at the conference.

SUSPENSION OF CERTAIN IMPORT TAXES ON COPPER

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 3336) to suspend certain import taxes on copper, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McFARLAND. Mr. President, on behalf of the Senator from Georgia [Mr. GEORGE], who is now presiding over the Senate, I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. GEORGE, Mr. CONNALLY, Mr. BYRD, Mr. MILLIKIN, and Mr. TAFT conferees on the part of the Senate.

SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO

The Senate resumed the consideration of the bill (S. 984) to amend the Agricultural Act of 1949.

Mr. McFARLAND. Mr. President, I have received two telegrams, together with a request that they be read on the floor of the Senate. The telegrams relate to Senate bill 984. I now ask unanimous consent that they may be read for the information of the Senate.

The PRESIDING OFFICER. Without objection, the telegrams will be read.

The Chief Clerk read as follows:

WASHINGTON, D. C., April 25, 1951.
Senator ERNEST W. McFARLAND,
Senate Office Building:

The American Federation of Labor offers its objections to the enactment of S. 984 to provide for the recruitment and importation of Mexican workers for agricultural labor in the United States which is now pending before the Senate.

The bill as reported by the committee does not provide adequate safeguards to protect the interests of domestic farm labor and is contrary to the findings and recommendations of the President's Commission on Migratory Labor which was issued March 26, 1951.

The report clearly indicates that the importation of foreign farm labor would be to

depress still further the wages and working conditions of American farm labor, a group which is worse off economically than any other in our population.

The A. F. of L. firmly believes that the need for the importation of foreign labor is overemphasized. At the present time there are approximately 150,000 agricultural workers in Puerto Rico unemployed and there are 190,000 partially employed working less than 30 hours per week. However if there is a genuine need for agricultural labor the Puerto Rican and domestic labor market should be fully utilized before importing foreign labor.

We strongly urge that S. 984 in its present form be recommitted back to committee with instructions to provide for the recruitment of American workers wherever they are needed under decent working conditions and adequate wages before any attempt is made to bring in foreign farm labor.

WILLIAM GREEN,
President, American Federation of Labor.

Senator ERNEST W. McFARLAND,
Senate Majority Leader:

National Farmers Union believes S. 984 should be defeated. Bringing in cheap foreign labor without setting decent standards and without first trying to recruit tremendous numbers of unemployed American agricultural workers breaks faith with the American people and their ideals. This supply of cheap foreign labor threatens both the family farm as the basic pattern of American agriculture and the hard earned gains of American labor. This bill violates President Truman's manpower policy declaration of January 17 giving full assurance that "full use of domestic manpower resources will be made before bringing in foreign workers." It ignores careful findings of Sparkman committee report on low-income rural families revealing existence of equivalent of more than 2,500,000 underemployed agricultural workers. Bill was reported out before President's commission on migratory labor gave its report to the President portraying disgraceful conditions of migrant workers and subservience of many Government officials to pressures of big growers. We urge Senate to reject this bill and consider first legislation for the effective utilization of American workers.

JAMES G. PATTON,
President of National Farmers Union.

Mr. ELLENDER obtained the floor.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. McFARLAND. I am sure a great number of Senators would like to hear the distinguished Senator explain this important legislation, and I ask whether he will yield for a quorum call, on condition that he does not lose the floor?

Mr. ELLENDER. I yield for that purpose.

CALL OF THE ROLL

Mr. McFARLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. McFARLAND. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded, and that further proceedings under the call be suspended.

Mr. CHAVEZ. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will resume the call of the roll.

The Chief Clerk resumed the call of the roll, and the following Senators answered to their names:

Alken	George	Lehman
Brewster	Hayden	McCarran
Butler, Md.	Hickenlooper	McFarland
Butler, Nebr.	Humphrey	Maybank
Carlson	Johnson, Colo.	Pastore
Chavez	Johnston, S. C.	Russell
Cordon	Kilgore	Watkins
Dworshak	Knowland	Welker
Ellender	Langer	Wherry

The PRESIDING OFFICER. Twenty-seven Senators have answered to their names. A quorum is not present. The Clerk will call the names of the absent Senators.

The Chief Clerk called the names of the absent Senators, and Mr. BENNETT, Mr. CONNALLY, Mr. FERGUSON, Mr. JOHNSTON of Texas, Mr. McMAHON, Mr. MURRAY, Mr. ROBERTSON, and Mr. STENNIS answered to their names when called.

The PRESIDING OFFICER. A quorum is not present.

Mr. McFARLAND. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. THYE, Mr. FLANDERS, Mr. WILLIAMS, Mr. GREEN, Mr. HENDRICKSON, Mr. SMITH of North Carolina, Mr. HILL, Mr. FREAR, Mr. ECTON, Mr. BYRD, Mr. MONRONEY, Mr. CASE, Mr. WILEY, Mr. YOUNG, Mr. ANDERSON, Mr. DUFF, Mr. KEM, Mr. HUNT, Mr. GILLETTE, Mr. CLEMENTS, Mr. MUNDT, Mr. O'CONOR, Mr. LONG, Mr. MCCARTHY, Mrs. SMITH of Maine, Mr. UNDERWOOD, Mr. KERR, Mr. HENNINGS, Mr. FULBRIGHT, Mr. MALONE, Mr. McKELLAR, Mr. BRICKER, Mr. DOUGLAS, Mr. HOEY, Mr. BRIDGES, Mr. IVES, Mr. MARTIN, Mr. CAPEHART, Mr. McCLELLAN, Mr. SCHOEPPEL, Mr. TAFT, Mr. MILLIKIN, Mr. SPARKMAN, Mr. TOBEY, Mr. MOODY, Mr. NIXON, Mr. MORSE, and Mr. NEELY entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO

The Senate resumed the consideration of the bill (S. 984) to amend the Agricultural Act of 1949.

Mr. ELLENDER. Mr. President, I express the hope that the Senate will proceed with dispatch to the consideration of the pending measure. I consider its passage to be urgent, since it is necessary that we implement, as soon as possible, the agreement with the Republic of Mexico for the importation of Mexican labor.

Before proceeding with an explanation of the bill, I should like to make a few remarks on the events which led to its introduction. As will be recalled, an agreement was entered into by our Government in 1948 with the Mexican Government for the importation of Mexican labor. The method adopted for importing workers was that upon certification by the United States Employment Service, an employer could go into Mexico and contract for Mexican labor. Under the agreement which was entered into by the employers of this country with the

workers in Mexico, the employers paid all the expenses of transportation from the interior of Mexico, as well as the expenses of subsistence and maintenance while in transit to the place of employment.

The agreement entered into in 1948 was renewed in 1949 with certain changes. Under the agreement of 1948, there was a provision whereby the employers in the United States deducted 10 percent from the wages of the Mexicans and then returned the amount withheld at the termination of employment. The reason for the deduction was to make certain that the Mexican laborer would have funds at the end of his employment and at the same time it would provide an incentive for the worker to carry out his part of the contract. When the agreement was renewed in 1949, the Mexican Government did not agree to this 10-percent deduction, and provision for it was eliminated in the agreement entered into in 1949.

Both the 1948 and 1949 agreements contained another provision which made it obligatory on the part of the employer to furnish a bond of \$25 to guarantee the return of the Mexican laborer at the termination of the contract. I may say that there was considerable objection on the part of the employers to that provision in the agreements with Mexico.

The Mexican Government gave notice early this year that it would not consent to continuance of the terms and conditions which now prevail, and that unless the Government of the United States took steps to enact laws whereby a guarantee of compliance by the employer with the individual work contract could be made by the Government of the United States, the agreement would be terminated.

I was privileged during last January and in the early part of February to attend a conference in Mexico City as a representative of the Committee on Agriculture and Forestry of the Senate. I participated for a week in discussions with officials of our own Government as well as officials of the Mexican Government on the importation program of agricultural workers. We reached certain conclusions under which the Mexican Government was willing to proceed with future agreements with respect to the employment of Mexican labor in the United States. It was understood at the conference that the United States Government is not now authorized to recruit workers in Mexico. It was also understood that our Government cannot now guarantee the performance of any contract entered into between employers in this country and workers in Mexico.

So, Mr. President, in order for the United States to carry out its part of the agreement entered into between the United States and Mexico, it is necessary to enact the legislation now proposed. To my way of thinking, S. 984 will implement the agreement with Mexico in the best interests of both countries.

I have before me the main provisions which have been agreed to in conference between representatives of our Government and representatives of the Mexican Government. I wish to read those pro-

visions which are in the form of recommendations to our respective Governments.

First. The Mexican Government would establish migratory stations at such places in Mexico as might be agreed upon by the Mexican Government and the United States Government.

Second. Recruiting teams consisting of Mexican and United States representatives would then recruit agricultural workers at places near the residences of the workers, and the workers would be brought to the migratory stations by the Mexican Government.

Third. Following screening by the United States immigration officials, the workers would be transported to reception centers in the United States at the expense of the United States Government. Return transportation from the reception center to the migratory station by this Government would also be guaranteed.

Fourth. At the reception center in the United States, the worker would be free to choose the type of agricultural work he desires, and the employer would be free to select the workers whom he desires. Proper supervision of these negotiations by representatives of both governments would be maintained.

Fifth. Transportation from the reception center to the place of employment and return would be at the expense of the employer, as well as subsistence and other guaranties as required by the individual work contract.

In accordance with our understanding at the conference, I introduced Senate bill 984 to provide authority for our Government to carry out its part of the agreement reached with Mexico. The Committee on Agriculture and Forestry considered the bill along with other measures dealing with farm labor. During the course of our proceedings, we received extensive information on the farm-labor situation in the United States. Enactment of legislation providing subsidization of domestic farm labor as well as foreign labor was also recommended to us. However, the committee was of the opinion that the immediate legislation should be confined to its original subject, that is, the implementation of the agreement reached with Mexico this year, and that legislation concerned with a domestic farm-labor program and critical farm-labor shortages should be considered separately. In accordance with this decision, the committee is recommending enactment of Senate bill 984 at this time.

The bill would add a new title to the Agricultural Act of 1949. Section 501 of the proposed title 5 authorizes the Secretary of Labor to—

First. Recruit workers in Mexico for temporary agricultural employment in the United States;

Second. Establish and operate reception centers at or near the places of actual entry of such workers into the United States for the purpose of receiving and housing them while arrangements are being made for their employment in, or departure from, the United States;

Third. Provide transportation from recruitment centers in Mexico to such

reception centers and from such reception centers to recruitment centers after termination of employment;

Fourth. Provide such workers with such subsistence, emergency medical care, and burial expenses as may be or may become necessary during the transportation period and while such workers are at reception centers;

Fifth. Assist such workers and employers to negotiate contracts of employment; and

Sixth. Guarantee the performance by employers of provisions of such contracts relating to payment of wages or the furnishing of transportation.

The section also provides that the Secretary may recruit Mexicans already in the United States for agricultural employment, provided that such workers originally entered the country legally.

Mr. CHAVEZ. Mr. President, may I interrupt the distinguished Senator at this point?

Mr. ELLENDER. Certainly.

Mr. CHAVEZ. In the recruiting of Mexican citizens who now are in the United States, is the reference to Mexican citizens who are in the United States legally, or is the reference also to Mexican citizens who may be in the United States illegally?

Mr. ELLENDER. The reference is only to those who are in the United States and who entered legally.

As a matter of fact, Mr. President, there are several amendments proposed by the committee, and I shall discuss them as I proceed, in the hope of saving time.

Mr. CHAVEZ. Mr. President, I hope the Senator will pardon me for the interruption.

Mr. ELLENDER. That is perfectly all right.

Mr. President, the section to which I have referred further provides that workers recruited under the program will be free to accept or decline agricultural employment with any eligible employer and to choose the type of agricultural employment they desire. Likewise, employers will be free to offer agricultural employment to any workers of their choice not under contract to other employers.

Section 502 provides that no workers shall be made available to any employer unless such employer enters into an agreement with the United States to—

First. Indemnify the United States against any loss by reason of its guaranty of such employer's contracts.

Second. Reimburse the United States for expenses, not including salaries or expenses of regular department or agency personnel, incurred by it for the transportation and subsistence of workers in amounts not to exceed \$20 per worker.

Mr. President, it will be recalled, as I stated a moment ago, that the Mexican Government will establish centers within Mexico, at its own expense, with the idea of selecting the workers who are eligible to enter the United States. From those centers to points established in the United States, our Government will pay the transportation expenses of workers together with subsistence, but

these expenses will be recovered from the employer, up to an amount not exceeding the sum of \$20 a person.

Mr. CHAVEZ. Mr. President—

Mr. ELLENDER. I yield for a question.

Mr. CHAVEZ. If the Senator will permit, I should like to make a brief observation. If in the process of the application of the provisions of the bill the Senator from Louisiana is sponsoring, there happen to be some differences of opinion as between the position of the Senator from Louisiana and the position of some other Senators, let me say that will not be with the idea of opposing the carrying out any agreement which might have been made between the Government of the United States and the government of another country; but some of us think that possibly the committee did not give sufficient attention to American labor which could be available. Perhaps the Senator has that situation in mind.

Mr. ELLENDER. I may state to my distinguished friend from New Mexico that when the bill was first introduced we attempted to take care of labor recruitment not only in Mexico but also in all other countries in the Western Hemisphere, and Puerto Rico and Hawaii. Complications arose in that certain exceptions were desired here and there. Finally, inasmuch as the purpose of the entire proposal is to make an agreement with Mexico alone, the committee decided to confine the bill to that country.

Mr. CHAVEZ. Mr. President, I should like to ask the Senator another question, if he will yield for that purpose.

Mr. ELLENDER. Certainly.

Mr. CHAVEZ. Did the committee obtain any information as to the availability of domestic American farm labor throughout the United States?

Mr. ELLENDER. Yes; we received a good deal of testimony on the subject. I may say to my distinguished friend that we heard testimony not only pertaining to Senate bill 984, but also to the bill introduced by him and to the bill introduced by the distinguished senior Senator from Washington [Mr. MAGNUSON].

Mr. CHAVEZ. If I may ask the Senator from Louisiana another question, Did the committee have available the report of the President's Commission on Migratory Labor?

Mr. ELLENDER. That report had not then been issued.

Mr. CHAVEZ. Did the committee consider that report after the bill had been reported to the Senate?

Mr. ELLENDER. No; we did not. However, the committee voted to report the bill prior to release of the Commission's report.

Mr. CHAVEZ. I thank the Senator.

Mr. ELLENDER. Mr. President, when I was interrupted—and I should like to say that I do not mind interruptions—I was outlining to the Senate the principal provisions of the pending measure, and I had discussed section 502 (1) and (2). I continue my analysis of the bill.

Third. Pay to the United States, in any case in which a worker is not returned to the reception center in accordance with the individual work contract,

and is apprehended in the United States, an amount determined by the Secretary of Labor to be equivalent to the normal cost to the employer of returning other workers from the place of employment to the reception center, less any portion thereof required to be paid by any other employers.

Section 503 provides that no workers recruited under this program shall be available for employment in any area unless the director of State employment security for such area has determined and certified that sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed, and that the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed.

Mr. ANDERSON. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. ANDERSON. I am sure the distinguished chairman of the committee is familiar with the fact that that language of the bill, which specifies that the workers shall be available, is possibly a little misleading. It is quite true that they are not available at a particular time, but the domestic workers might be available by the time the harvest season arrived. In order to clarify that point and to get a legislative background, I propound this question to the chairman of the committee: Where the clause provides standards for certifying as to the nonavailability of domestic workers before Mexican workers may be admitted, clause (1) of this section requires certification that sufficient domestic workers who are able, willing, and qualified, are not available at the time and place needed to perform the work for which such workers are to be employed. It seems to me that this clause is merely intended to apply a rule of reasonable availability, taking into consideration all the circumstances existing at the time of certification.

Mr. ELLENDER. The Senator is correct.

Mr. ANDERSON. They might not have been there in March, but they might be available at harvesttime, and if they were available by harvesttime, then the Department of Labor could not certify that there was a lack of workers, because the domestic workers would be there: Is not that the chairman's understanding?

Mr. ELLENDER. That is the meaning of that language, as I interpret it.

Mr. CHAVEZ. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. CHAVEZ. Did the committee have available the report of the study made by the Joint Congressional Committee on the Economic Report, as prepared and issued under the supervision of the Senator from Alabama [Mr. SPARKMAN]?

Mr. ELLENDER. Yes.

Mr. CHAVEZ. He used the following language:

Unemployment among these marginal farmers is depriving the Nation of the equivalent of more than 2,500,000 workers—

Referring to farm workers.

Did the committee have that information?

Mr. ELLENDER. The Record will speak for itself, but as I recall, that report was thoroughly discussed by a witness who appeared before the committee. I may say to my distinguished friend from New Mexico that, in view of the fact that we had before us another bill which covered both foreign and domestic labor, the first question we decided was whether we should deal with foreign labor alone, or both foreign labor and domestic labor, including offshore labor from our Territorial possessions, such as Hawaii and Puerto Rico.

The committee members present were unanimous in their decision to deal with the Mexican problem solely. The reason for that decision is that we are confronted with a special condition with respect to the importation of labor from Mexico. The Government of Mexico has notified our Government that it will terminate the agreement with respect to the importation of Mexican labor into this country, and that it will not agree to a program comparable to the one under which we import workers from the Bahamas and other islands under British control.

Mr. CHAVEZ. Mr. President, may I ask the Senator a question on that point?

Mr. ELLENDER. I yield to the Senator from New Mexico.

Mr. CHAVEZ. If there is not available sufficient domestic farm labor, that is, American citizens, to serve the purpose, what would we lose if we did not make an agreement with any foreign nation?

Mr. THYE. Mr. President, will the Senator yield?

Mr. ELLENDER. In a moment. I may say to the Senator from New Mexico that that is a question for the administrator of this bill, if it shall be enacted, to determine.

Mr. CHAVEZ. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I have just read, and I think the language is specific, the rules and regulations under which the administrator of this bill must proceed and the conditions that must exist before Mexican labor is permitted to enter the country.

Mr. CHAVEZ. My reason for asking questions is that I desire that what we do may be agreeable to our neighbors, but I also want to see that American labor is taken care of. Is it not a fact that the only reason for this proposed legislation is that it is necessary in order to get labor for the farmer?

Mr. ELLENDER. That is one of the purposes, yes, and the chief source of foreign labor in this hemisphere is Mexico. That has been the case heretofore.

Mr. CHAVEZ. But should not the chief source of supply be American labor?

Mr. THYE. Mr. President, will the Senator yield for a question and also for a brief comment on the remark of the able Senator from New Mexico?

Mr. ELLENDER. I yield.

Mr. THYE. All of us are interested in domestic labor and desire to give citi-

zens of the United States the opportunity to work if they are available. We certainly would not want to give a job to a foreigner at the expense of an American citizen. But I must call the attention of the very able Senator from New Mexico to the fact that there is certain work which must be performed in the harvesting of root crops, such as sugar beets and potatoes which involves what is called "stoop" labor. It is the kind of work which is most tedious. If a job of that kind were offered to the average American worker, under present conditions, when factories and the employers in every other field are bidding for workers, he would take the job which was far more pleasant than the stoop labor required in digging potatoes, or topping sugar beets, or thinning sugar beets, or working in the cotton fields.

It is for that reason that those of us who listened to the testimony in the committee hearings came to a realization and a complete understanding of what faces the producer. We should enact some type of law which will permit the bringing in of Mexican labor or offshore labor, the type of labor willing to work in the beet fields, the onion patches, and fields producing all types of root crops, as well as in the cotton fields. If we do not provide that type of worker, many root and fiber crops will go to waste. The members of the committee recognize that something must be done to relieve the situation.

I know that in the past there have been instances of men looking at a stoop-labor job and saying, "I do not want it." If that kind of a man took such employment, it would be only until he could get something more to his liking. The able Senator from New Mexico knows that as well as do the members of the committee.

Mr. CHAVEZ. I may say to my good friend from Minnesota that since he has been a Member of the Senate and has been, in a noble way, representing a great State, he has read in the newspapers and in magazines about the suffering of American Indians in New Mexico, Arizona, Colorado, Utah, and in many other places. Only a few minutes ago the senior Senator from South Dakota [Mr. MUNDT] submitted an amendment which he intends to call up, providing for the employment of Indians.

There is stoop labor in my State. If the Senator from Minnesota will go to the little town of Bluewater during the carrot season he will see Indian laborers there. If they were good enough to lift the American flag at Iwo Jima and to fight in Korea, they are good enough to receive employment.

Mr. THYE. There can be but one answer to the Senator, and that is that he is entirely correct. We should employ every Indian who is willing to accept employment. In my State there are many splendid Indian citizens. I have been with them in the northern and northwestern sections of the State. They are fine people. We want to employ them. We are glad to employ everyone who wants work. But if then we are in need of still more laborers we must employ offshore labor, or the crops will

deteriorate in the fields. That is the whole answer. The bill would permit the employment of Indians, whether they be in Minnesota, in the Dakotas, in New Mexico, or in any other section of the United States. Every citizen who is seeking employment should be employed, but when we exhaust that list and still do not have enough hands to do the work which must be performed, we have got to get labor from offshore.

Mr. CHAVEZ. Then the Senator from Minnesota agrees with the Senator from New Mexico?

Mr. THYE. Yes.

Mr. CHAVEZ. There is not a Member of this body who wants to be kinder to Mexico than does the Senator from New Mexico. Possibly a month ago the Senator from Minnesota say in the Washington Evening Star a picture of an amputee at Walter Reed Hospital. His legs and his right arm had been removed. He was a Puerto Rican. Eighty thousand Puerto Ricans fought in the Second World War. Some Puerto Ricans are dying in Korea. Every military cemetery throughout the world contains bodies of Puerto Ricans. More than 50 years ago we took them into our country, possibly against their desires at the time. But why should they not have a little preference? If they are not available, and if Indian labor is not available—and I think I can show the Senate before we get through that there is available plenty of American labor of every type and kind—I would be in favor of the importation of labor, as provided for in the bill.

Mr. ELLENDER. I wish to say to my good friend from New Mexico that if Indians are available, he need not fear that they will not be given an opportunity to work. As long as domestic labor is available, certification cannot be made for the importation of Mexican labor.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. AIKEN. I should like to say that it is not the intent of the Committee on Agriculture and Forestry to discriminate in any way against the employment of American labor, including Indians. But the question arose as to whether the recruitment and employment of available American labor should be included in a bill which would authorize recruitment and arrangements to employ Mexican labor. I am sure the committee felt that when and if available, American labor should be employed. However, there were complications involved in including the recruitment of American labor along with Mexican labor. For instance, Mexican labor is not entitled to any social-security benefits, whereas domestic labor is so entitled.

The State Department recently concluded an agreement with the Mexican Government which would provide for the recruitment of Mexican labor under the supervision of the two Governments. It appeared necessary to provide legislation to put that agreement into effect. Therefore, the committee decided to restrict this bill so as to cover the Mexican situation alone. But, as one member of the committee, I desire to say that I would gladly consider any proposal

which would provide for recruiting and employing American labor.

If there should happen to be a surplus of labor in Maine, which probably will not occur, and if a shortage of labor should occur in southern California, I would not agree to recruit labor in Maine to send to southern California, because it would not make sense, particularly in view of the fact that labor in Maine probably would not like the type of work to be found in southern California. I think we should employ American labor to the fullest extent before looking outside our borders. On the other hand, I feel that the State Department, having made the agreement with the Government of Mexico, should have legislation which would implement the agreement and make it possible to put it into effect.

Mr. ELLENDER. I wish to state to my good friend from New Mexico that had the committee held the hearings which would be necessary to carry out what the Senator is now advocating, I doubt if we would be through with the hearings at this time. In other words, in order to be able to continue the employment of Mexican labor, it is absolutely necessary that this bill be enacted. We are now operating under an agreement which was made between our Government and the Mexican Government in August 1949. That agreement will expire on June 30 and a new agreement will not be entered into unless the bill which we are now discussing is enacted.

For that reason the committee thought it wise to restrict the provisions of the bill to Mexico. If the emergency should become worse, I believe we should deal not only with farm labor, but with industrial labor. In such event, it is my considered judgment that the Committee on Labor and Public Welfare and not the Committee on Agriculture should consider remedial legislation.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. CHAVEZ. I should like to make another observation along the line suggested by the Senator from Louisiana. I am certain that no one is questioning either the integrity of the committee or the motives behind the action taken by the committee. My concern is engendered by the fact that only last week, in the hearings on appropriations for the Department of Labor witnesses of the service which generally deals with such class of labor testified before the subcommittee that very little or nothing at all had been done with reference to ascertaining what the availability of labor was in the United States. It was an astounding statement. For that reason I am concerned about the bill. It is not that I do not want to go along with the fine idea presented by the Senator from Louisiana and the committee, of trying to fulfill our obligations and our commitments to a friendly foreign nation.

Mr. ELLENDER. I may state to my good friend that, as he well knows, we have been utilizing foreign labor for many years. The committee decided not to change the present method of deal-

ing with labor from other foreign sources, such as Jamaica and Canada.

The Mexican Government, however, has advised that under no conditions would it continue the present program beyond June 30, 1951, and that it would enter into a new agreement only if it included the main provisions of the tentative agreement entered into by our Government and Mexico this year. That is what we are up against. The evidence is ample that we will need Mexican labor, particularly in the cotton fields of California, Texas, Mississippi, Arkansas, and other Southern States. It is imperative that we get that labor at an early date. There is no doubt in my mind that the Mexican Government will not change its views on terminating the present international agreement.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HUMPHREY. It may be of interest to the Senator from New Mexico to know that the junior Senator from Minnesota intends to offer an amendment which pertains to the point he raised a moment ago. I think the amendment is in accord with the philosophy expressed by the Senator from Vermont [Mr. AIKEN]. My amendment reads:

On page 4, line 18, strike out the period and insert a comma and the following: "and (3) reasonable efforts have been made to attract American workers for such employment at terms and conditions of employment comparable to those offered to foreign workers."

I intend to offer the amendment. In that way the committee bill would expressly state that there must first have been an effort made to recruit American workers.

I also intend to offer an amendment which reads:

On page 4, line 13, after the word "who", insert a comma and the words: "at the prevailing wage rates and other conditions of employment for such area."

The amendments would provide two additional safeguards.

Mr. CHAVEZ. Does the Senator from Minnesota mean the prevailing wage rate of the American worker or of the Mexican worker?

Mr. HUMPHREY. No; the American worker.

Mr. CHAVEZ. Possibly I misunderstood the Senator. I was under the impression he said that the conditions to be imposed upon the American laborer would be the conditions under which the foreign laborer was working.

Mr. ELLENDER. I may point out to the Senator from New Mexico that under the terms of the bill, with the many compensations in the form of health services, insurance, and so forth, actually, the Mexican worker may have the opportunity of getting a better deal than the domestic worker in the form of guarantees.

Mr. CHAVEZ. Possibly that is the reason why I am objecting.

Mr. HUMPHREY. I say conditions should be comparable.

Mr. CHAVEZ. I should hate to have an American laborer—and when I say an American I mean an American, re-

gardless of what his background, nationality, or religious belief may be—work for what some of the starving Mexicans work for. I am against that.

Mr. HUMPHREY. I think after the Senator from New Mexico has had an opportunity to hear a full explanation of the amendments he will be an ardent supporter.

Mr. ELLENDER. I should like to remind my good friend from New Mexico that the bill specifically provides that after the Mexican laborer is transported to a reception center in the United States he would enter into an agreement with an employer. He can bargain for such working conditions as he desires.

Mr. CHAVEZ. As between—

Mr. ELLENDER. As between an employer in this country and the worker from Mexico. A contract would be entered into between them. I believe the Senator has read recent articles with respect to conditions that exist in Texas and other States.

Mr. CHAVEZ. I know of them from my own knowledge.

Mr. ELLENDER. The Senator knows, I am sure, the reason these conditions exist.

Mr. CHAVEZ. I think I do.

Mr. ELLENDER. The difficulty has been that many Mexicans came into the United States illegally. They came across the Rio Grande. When they went to a farm to work, the farmer said to them, "Now, listen, unless you work for certain wages or under certain conditions, I will report you and you will have to return to Mexico."

Mr. CHAVEZ. That has happened.

Mr. ELLENDER. Yes. This bill would discourage that practice. The bill would make it obligatory that contracts entered into in the future between American employers and Mexican laborers shall be with Mexican nationals who enter this country legally.

Mr. CHAVEZ. I know the Senator wants to do the right thing. However, in what position does he think a poor starving Mexican laborer would be in making a contract with the owner of 2,000 acres of cotton in Dona Ana County, N. Mex.?

Mr. ELLENDER. There is a provision in the bill under which associations of employers could employ a group of Mexican laborers.

Mr. CHAVEZ. In other words, it provides for fair-employment practices?

Mr. ELLENDER. It would be up to the two groups. In other words, what we have tried to do is to make it possible for Mexican laborers to be employed in groups and for them to select employers for whom they desire to work and to select the kind of work they desire to perform. That is one of the provisions in the bill. As I have stated, it is in accord with the understanding which was reached between our Government and the Government of Mexico in Mexico City during the latter part of January and early part of February of this year.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CORDON. Does not the agreement, considered with the bill, require that any such foreign labor be paid going

wages within the area, in addition to having the right which comes from competitive bidding for services?

Mr. ELLENDER. That is correct. I so stated in my opening remarks.

Mr. President, section 504 provides that workers recruited in Mexico shall be admitted to the United States subject to the immigration laws, and that no penalty bond shall be required which imposes liability upon any person for the failure of any such worker to depart from the United States upon termination of employment. Section 504 also provides that workers already in the country and who otherwise would be eligible for admission to the United States may remain to accept agricultural employment pursuant to arrangements between the United States and the Republic of Mexico.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. WATKINS. Should not the word "legally" also be used in that same section? They must be here legally before they can remain.

Mr. ELLENDER. The distinguished junior Senator from Minnesota [Mr. HUMPHREY] and the junior Senator from New Mexico [Mr. ANDERSON] have proposed such amendments. The committee agreed to an amendment in section 501 to the effect that the Mexican laborer must have entered this country legally in order to be eligible for employment.

Mr. President, section 505 exempts agricultural workers imported from Mexico from social security benefits and taxes, and withholding of, or payment of, such taxes by the employers of such workers. The section further provides that such workers shall not be subject to the head tax levied under section 2 of the Immigration Act of 1917.

Section 506 authorizes the Secretary of Labor to utilize the facilities and services of other Federal and State agencies as may be agreed upon, to accept and utilize voluntary and uncompensated services, and to cooperate with the Secretary of State in negotiating and carrying out agreements or arrangements relating to the importation of agricultural workers from Mexico.

Section 507, as amended, defines the agricultural employment for which workers can be recruited as that covered by section 3 (f) of the Fair Labor Standards Act of 1938, as amended, or section 1426 (h) of the Internal Revenue Code, as amended. Section 507 also defines "employer" to include an association or group of employers.

In other words, those two references to the Fair Labor Standards Act and to the Internal Revenue Code provisions, make the bill apply strictly to agricultural labor. As may be recalled, and as I shall indicate in a moment, efforts were made to enlarge the definition to include the canning of agricultural commodities, the ginning and compressing of cotton, and other related work. As I shall show in a few moments the committee deemed it advisable to delete such provisions from the bill.

Section 508 provides that nothing in the act shall be construed to limit the

authority of the Attorney General to permit the importation of workers from any other country for agricultural employment, pursuant to the immigration laws, or to permit any such alien who entered the United States legally to remain for employment on farms.

Section 509 provides that the program of importing foreign agricultural workers, as authorized by the act, shall terminate December 31, 1952.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CHAVEZ. Would it not have been better if the committee had considered the bill—which I know is important—from the long-range standpoint? Is not this merely a temporary makeshift idea to try to help out during one season?

Mr. ELLENDER. It is not. The sole purpose is to deal with the Mexican problem. We have been importing labor from Mexico, as the Senator knows, for many years. Because of the seriousness of the wetback problem, the Mexican Government has decided that in the future, unless legislation of the character we are now proposing is enacted, no more Mexican labor will be contracted for work in this country.

Mr. CHAVEZ. If that is the case, why limit the bill to such a short period of time?

Mr. ELLENDER. I would be willing to make the time longer, but the committee agreed to limit the legislation to the period indicated.

Mr. CHAVEZ. What is the expiration date?

Mr. ELLENDER. December 31, 1952.

Mr. CASE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CASE. What is the reason for the committee amendment in section 508, providing that nothing in this act shall be construed—

Mr. ELLENDER. That is my next point. I shall reach that in a moment.

Mr. CASE. My purpose in raising the question is this: Apparently there is some reason for saying that nothing in this act shall be construed to limit the authority of the Attorney General under the general immigration laws. I was wondering whether the same logic would also suggest that we should say that it is not intended to interfere with the operation of the Displaced Persons Act, or to limit the authority of the Displaced Persons Commission to bring displaced persons here for agricultural employment.

Mr. ELLENDER. Personally I do not believe that such language is necessary, but it does no harm. There were some who thought that unless we put language of that character in the bill it might suggest to the Attorney General or to some other department of Government that it was not intended to continue the method now in vogue for recruiting labor on a temporary basis from Canada, from the Bahamas, and from other off-shore islands under the British flag.

Mr. CASE. Of course, the distinguished Senator is familiar with the fact that the law relating to the Displaced Persons Commission definitely contemplates the entry of certain persons for

agricultural employment. The same logic which would say that we should guard this bill against misinterpretation in relation to the general immigration laws and the authority of the Attorney General would also suggest that we should say that it is not intended to interfere with the operation of the Displaced Persons Act.

Mr. ELLENDER. I have no objection to that.

Mr. LEHMAN. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. LEHMAN. Did I correctly understand the Senator from Louisiana to say that Senate bill 984 provides that the employer shall pay the prevailing rate of wages in the area of employment to laborers coming from Mexico?

Mr. ELLENDER. It is not specifically provided. However, as I indicated a while ago during the course of my argument, the contract is to be made between the employer and the Mexican laborer himself. The contract is not between government and government but it is between employer and employee.

From the evidence which I heard in Mexico City, the Mexican laborer who comes into the United States legally usually sees to it that he gets as much as anyone else obtains at the place where he works. As a matter of fact, those are among the first questions asked—"What kind of work have you? How much are you going to pay me? How much do you pay others?" Certainly, in entering into contracts with employers, they have insisted upon receiving at least what the employers pay other employees in the particular locality.

Mr. LEHMAN. I thank the Senator. I misunderstood him. I thought he had stated that that provision was actually contained in the bill itself.

Mr. ELLENDER. Let me say to my good friend from New York that I have before me a sample individual work contract. It reads in part as follows:

4. Payment of wages. The employer shall pay the worker the prevailing wage rate paid to domestic agricultural workers for similar work, and in the manner paid within the area of employment, or the rate specified on the last page of this contract, whichever is the greater. Where higher wages are paid for specialized tasks, such as the operation of vehicles or machinery, Mexican workers shall be paid such wages while assigned to such tasks.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CORDON. I made inquiry of the Senator a few moments ago with reference to this matter. At that time I asked him whether or not that was a requirement found in the composite bill, the discussions with the Mexican Government, and the requirements of the Mexican Government.

Mr. ELLENDER. I am sorry. I may have misunderstood my distinguished friend's question.

Mr. CORDON. I thought it was understood; and I was in entire agreement with the answer. Are those the facts?

Mr. ELLENDER. Those are the facts.

Mr. CORDON. Those are the three operations to cover the requirement for

payment of going wages in the area where the Mexican national is to be employed.

Mr. ELLENDER. That is correct. The contract requires that the prevailing wage rates in the area be the minimum wage and in turn the bill guarantees payment by the producer of wages he contracted to pay.

Mr. CORDON. If that sort of an agreement is not signed, then the Mexican Government is not agreeable to its citizens coming to the United States to be employed.

Mr. ELLENDER. That is one of the conditions to be imposed.

Mr. President, while I am on my feet I ask the indulgence of the Senate to discuss the amendments recommended by the committee. It will be noted that in section 501, on page 1, line 9, we struck from the bill the provision which deals with other countries. The purpose of that amendment is simply to make the bill applicable only to the Republic of Mexico. It eliminates all other countries in the Western Hemisphere, as well as Puerto Rico and Hawaii.

In the same section, on page 2, lines 5 and 6, will be found an amendment which inserts the words "under legal entry" after the words "United States." That amendment provides that Mexicans already in the United States can be recruited under this program only if they entered the country legally. This amendment would prevent the utilization of any wet backs in the program and would discourage such illegal immigration.

The third committee amendment is on page 3, in section 502, beginning in line 15. It provides that the employer shall reimburse the United States for expenses incurred by the Government only for transportation and subsistence of workers in amounts not to exceed \$20 per worker, instead of requiring reimbursement for administrative costs of recruiting as well as transportation and subsistence payments. It was the thought of some members of the committee that we should make certain that the costs of the regularly paid employees of the Government should not be included; therefore, this particular portion of the bill was amended so as to make provision for reimbursement for "essential expenses, not including salaries or expenses of regular department of agency personnel, incurred by it for the transportation and subsistence of workers under this title in amounts not to exceed \$20 per worker."

Mr. WATKINS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Does the Senator from Louisiana yield to the Senator from Utah?

Mr. ELLENDER. I yield.

Mr. WATKINS. As I understand, this requirement of the employer applies only to such sums as have been spent by the United States, in addition to the regular expenses of the Labor Department in connection with this entire enterprise.

Mr. ELLENDER. That is correct. I may state to my good friend from Utah that in the committee some members

wanted to reduce that sum from \$20 to \$10, but we obtained estimates from the Department of Labor that the cost of this service might be more than \$20. It may be as much as \$35 if it is necessary to transport them an average of 500 miles. But what we are trying to do is to make the employer bear practically all the expenses of this operation. Under the agreements now existing, as I have heretofore stated, the employer must go into Mexico to enter into his contract. He has to travel to Monterrey or other cities within the Republic of Mexico, and there contract for his workers and transport them to the place of employment.

The Mexican Government was violently opposed to that procedure for this reason. Mexico is now engaged in developing her resources on an extensive scale. Her mines are being worked, and agriculture is on the boom. Most of the labor that was recruited by Texas and other States came from the northern part of Mexico. The Mexican Government is anxious that some of the laborers away from the border be utilized, those around Mexico City, for example. There may be quite a number of Mexicans out of employment there. As I have pointed out, the Mexican Government has gone so far as to agree to establish recruitment centers within the Republic of Mexico and to pay the cost of transporting laborers to those centers.

Mr. CHAVEZ. Recruiting.

Mr. ELLENDER. Recruitment centers, that is correct. And the Mexican Government is not only to pay for the cost of transportation to the recruiting centers, but also is to pay for the food and utilities necessary to take care of the laborers until they are examined by our immigration officials, by health officials, and until it has been decided that the applicants are eligible under our laws to work in the United States. Our Government agrees to furnish the transportation from those centers to a reception center established on the border in the United States, but it can charge the employer up to \$20 per worker for that service.

Mr. WATKINS. Mr. President, will the Senator again yield?

Mr. ELLENDER. I yield.

Mr. WATKINS. At what point do the Mexican laborers enter into the agreement? In Mexico, or at the receiving center in our country?

Mr. ELLENDER. At the reception center in our country.

Mr. WATKINS. In other words, no contractor or employer will have to go into Mexico in the future to make a contract?

Mr. ELLENDER. That is correct. That was one of the objections made by employers in the United States. They had to go into Mexico, and some of them had to go quite far inland in order to obtain workers. In some cases the trip was rather costly. They also had a little difficulty, as I was informed, with some of the officials in obtaining the number of workers they desired, and in making other necessary arrangements. It was the desire of the employers of this country to try to arrange for a method by which the contracts could be entered

into in the United States. For this reason we have provided under the bill that reception centers be established in the United States near the border where employers will enter into contracts with Mexican workers.

Mr. WATKINS. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield.

Mr. WATKINS. If the contracts are entered into there, I take it the Government assumes no further responsibility, so far as the worker is concerned, in getting him to the job or seeing that he actually remains on the job when he gets to it?

Mr. ELLENDER. That is correct in that the Government does not guarantee compliance by the worker with the individual work contract.

Mr. WATKINS. Even though the man may work only 1 day, the employer will be responsible for paying up to \$20?

Mr. ELLENDER. That is correct.

Mr. WATKINS. Irrespective of the fact that he works only 1 day?

Mr. ELLENDER. That is correct. The employer not only assumes the cost up to \$20 per capita, as imposed by the bill, but all expenses from the center in the United States to the place of employment.

Mr. WATKINS. That is, provided the employees are taken at the border. Of course, I understand most of the farmers in my State, in Idaho, Colorado, and other States north of New Mexico and Arizona, and probably Texas, are very much dissatisfied with the provision placing the reception centers at the border. They want them located at some central place in their own State. They think the provision is distinctly unfair.

Mr. ELLENDER. I understand that. The committee gave consideration to that matter and decided unanimously not to include such a provision.

Mr. WATKINS. What were the reasons?

Mr. ELLENDER. The proposal for local centers was made by the senior Senator from Washington [Mr. MAGNUSON], who was desirous of having a center established in Washington. If we were to do that, we would have to establish other centers in, let us say, Memphis, Tenn., or in Colorado, Minnesota, and elsewhere in the United States; and that would involve a tremendous cost which would have to be borne by the Federal Government.

Mr. WATKINS. Let me ask this question in connection with that point, please: Is there any practical situation which would require the establishment of a center at Memphis, Tenn., and the establishment of a center in Minnesota? I understand that very few of the Mexican laborers will be needed in States other than the States near the Mexican border. I have inquired of other Senators about that, and I cannot find that there will be need for Mexican laborers at other points in the United States.

Mr. ELLENDER. No, Mr. President; the Senator from Utah is misinformed if he believes that only Washington and Oregon and Utah desire local centers. If we establish a reception center in the

Northwest we shall have to do the same thing in respect to other States.

Mr. CHAVEZ. Why not?

Mr. WATKINS. Yes, why not—in the first place?

But in the second place, this Mexican labor will not be made available to Colorado, Utah, Wyoming, and other States removed from the border, because the farmers in those States simply cannot stand the extra cost. Therefore, they will simply have to forget about using such labor. I have already heard from the farm bureau in my State that the farmers there cannot stand the added expense, and thus such Mexican labor will be of no use to them.

Mr. ELLENDER. Representatives of the Farm Bureau appeared before the committee and took the position that under no circumstances or condition did they want or expect a subsidy from the Federal Government in connection with this matter. The representatives of the Farm Bureau were unanimous in that regard. I do not know of any farm organization, except the Farmers Union, as I recall, which asked that the Federal Government underwrite an expensive farm labor program.

I wish to say to my distinguished friends that the committee took the position that the farmers should and, judging from the evidence, they are willing in most instances, to pay these expenses, rather than to place the burden on the Federal Government.

According to some of the witnesses at the hearings, the Government should not only establish reception centers in various parts of the country but it should also provide for transportation of domestic as well as foreign workers. I produced evidence to show that during World War II the Government spent more than \$30,000,000 a year in order to take care of these centers.

Mr. WATKINS. But during World War II all kinds of subsidies were paid—to almost everyone. That was done because of the tremendous desire for the production of food.

Today there is a similar desire. However, if the cost of this labor is made prohibitive, it will not be used, and thus food will not be produced on farms which otherwise would use this labor. I can assure the Senator of that.

Mr. ELLENDER. Mr. President, I would say that at the present time the farmers, in general, are in good financial condition. Inasmuch as the great majority of the farmers have expressed a willingness to pay for the transportation and other costs of the workers covered by this bill, it is obvious that they do not want any subsidy in that connection, and are willing to have this bill enacted in the form in which it has been reported by the committee.

Mr. WATKINS. Mr. President, will the Senator yield for an observation?

Mr. ELLENDER. I yield.

Mr. WATKINS. I happen to know, for instance, that the row-crop farmers, the sugar-beet farmers, the fruit growers, and other farmers in Utah and in the surrounding States who use large numbers of Mexican laborers are not

in such a very prosperous condition. In the first place, the farmers in most of those areas have not had a crop of fruit for 2 years. Today their position is such that if they were actually to give away, free, without cost, the fruit to the buyers, and say to them, "Here is fruit; we give it to you and we will pay for the packaging of it" the cost of the fruit still would be prohibitive because of the freight rates and other costs involved, which in the end would make the fruit too expensive for the consumers to use.

Therefore, Mr. President, anything that is done to add to the present burden of those farmers, with the result that they will be put in a position in which they cannot compete with the growers in Texas and other States located at or near the border, will certainly be to the serious disadvantage of the farmers of whom I am speaking, and will also be to the serious disadvantage of the United States as a whole.

Certainly not all the farmers in the United States are in good condition today; in fact, many of them are decidedly not in good condition.

Mr. ELLENDER. I said that I was speaking of farmers generally.

Mr. WATKINS. In the areas where wheat is grown and where subsidies are paid in that connection, the farmers may be in good condition today; but no fruit farmer has received a subsidy.

Mr. ELLENDER. Let me state to my friend that with respect to the establishment of reception centers, Mr. Baifd of Indianola, Miss., was one of the witnesses who testified. He represented the agricultural labor users of the United States at the hearings. He was opposed to the establishment of centers other than on the Mexican border. Many joined him in saying, "If you establish recruitment centers in other areas of the country, we shall want some established in Mississippi, Tennessee, Florida, and other States." That is the situation with which the committee was confronted.

Of course, if the distinguished Senator wants to subsidize this program by having the Federal Government pay all the expenses involved, he will have an opportunity, I suppose, to vote to have that done, because I understand that some amendments to that effect will be offered.

Mr. WATKINS. Mr. President, I am not asking for a lot of subsidies; but if it is desired to have sufficient amounts of food produced, sufficient labor will have to be made available to the farmers on a basis on which they can use it.

Mr. ELLENDER. That is what we are attempting to do.

Mr. WATKINS. If the cost of the labor is prohibitive, it will be necessary for us to notify the farmers who in the past have been dependent on Mexican labor, "Just forget all about it; there is no use in spraying your fruit trees or in planting row crops," because those farmers simply cannot bear any extra expense. Many of them have lost heavily on their row crops in the past 2 years, anyway.

Mr. ELLENDER. Mr. President, let me point out to the distinguished Sena-

tor from Utah that for the past 3 or 4 years I have heard no complaints; the farmers have been paying all these expenses for the transportation of Mexican laborers from their homes to the places of employment in the United States. Under present legislation the farmers have had to do that recruiting themselves, and at their own expense.

In this bill we provide that the recruitment will be done by the Federal Government, and the employer will go to the centers established by the United States, to do the contracting.

As I have said, the method provided in the bill in that connection is not at all different from the method which has been employed in the past in the case of those expenses, because in the past the farmers who have employed that labor have borne all the expenses.

This bill seeks to make certain that the bulk of the cost will be borne by the employers who need the Mexican labor.

Mr. CHAVEZ. Mr. President—

Mr. ELLENDER. I yield to the Senator from New Mexico for a question.

Mr. CHAVEZ. In view of what the Senator from Louisiana has just said, does not he agree that the employers who are within 5 minutes' distance of the Mexican labor will be the only beneficiaries of this measure? Should not legislation be beneficial to the entire United States?

Mr. ELLENDER. I may state to my good friend that that has not been the case in the past.

Mr. CHAVEZ. I beg to differ with the able Senator; it has been the case in the past.

Mr. ELLENDER. We have evidence to show that farmers came from Mississippi and Arkansas and Tennessee and many other States, into Mexico, where they recruited labor, bringing the labor to their own farms, and paying all the expenses to and from Mexico.

Mr. CHAVEZ. But is it not true that along the Mexican border, from Brownsville, Tex., on the Gulf of Mexico, through New Mexico and Arizona, and to the Pacific in California, there will be an advantage?

Mr. ELLENDER. Of course.

Mr. CHAVEZ. It takes only about 3 hours for a worker to come from Juarez, Mexico, to New Mexico.

Mr. ELLENDER. Of course, that is an advantage created by nature. Those people reside near the Mexican border.

Mr. CHAVEZ. Should the law be designed to protect only those who are protected by nature? Should we not have a general law which will protect all our citizens?

Mr. ELLENDER. I may say that, as the Senator knows, we do not try to do that in other legislation. Certain States, as the Senator knows, may possess advantages over certain other States, yet all their citizens live under the same law.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. DWORSHAK. A few moments ago the Senator from Louisiana referred to the fact that during World War II the Federal Government aided farmers by

paying the transportation costs of farm workers. Is it not also true that during the years of World War II the Federal Government paid for the transportation of industrial workers from the east coast and from various other sections of the country to the west coast, where they were to work in the shipyards, thereby, and to that extent, subsidizing those industries? And does that not show in effect that agriculture was not receiving any particular consideration from the Government, or consideration which was not likewise extended to other industries?

Mr. ELLENDER. The Senator is correct as to that. As I indicated a while ago, I am in agreement with my good friend from New Mexico that it may be that this problem should be studied further. It may be necessary, if conditions abroad do not improve, to do again the very thing that was done before; but I beseech my good friends here not to delay the passage of the pending bill by trying to incorporate in it a program which is entirely different from the one we are now debating. I urge that we pass the bill with a view to continuing the cordial relationship which now exists between our country and the Republic of Mexico. If the pending bill is not passed it will simply mean that the only way by which Mexican labor may come into this country will be for the Mexican workers to swim the Rio Grande. That, too, would be very distasteful to the Mexican people and to the Mexican Government. They urge that a bill of the kind which is now before the Senate be enacted. That is why I am pleading with Senators not to offer amendments to the bill which would remove it from the purview of the tentative agreement which was made between our Government and the Republic of Mexico. I have endeavored to have the bill drafted with that in view. We worked quite a long time in order to get the bill to conform as nearly as possible to the provisions of the agreement which was reached in Mexico City.

I took it upon myself to cooperate, so far as possible, with the House committee which will handle similar legislation in the House. Representative POAGE, from Texas, was in Mexico City when I was there and is familiar with all that transpired at the conferences. We discussed the problem before I introduced the pending bill, and before he introduced the bill in the House, in order that the two bills might be as nearly alike as possible, with a view to carrying out the agreements which were entered into in Mexico City.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. WATKINS. Why should we support a measure which is going to be absolutely useless to our people? If the Senator will recall, our people bear the extra expense. Mind you, they must take care of the \$20 a head for each person they get. Whether he works a day or not, they must do that anyway. In addition, they are required to pay his transportation to and from the border.

Mr. ELLENDER. I am sure the Senator has often voted in the Senate for bills which did not affect his State very

greatly. I cite the fact that, for example, cotton is not grown in Idaho or in other Northern States, yet Senators from those States join with us in providing legislation for the benefit of the cotton farmer.

Mr. WATKINS. At the same time, the Senator was voting to protect the Idaho potato grower.

Mr. ELLENDER. Yes.

Mr. WATKINS. The Senator did not overlook that.

Mr. ELLENDER. We cannot possibly have a legislative pattern here which will meet the requirements of all the States. As a good lawyer, the Senator understands that. What we are trying to do, I repeat, is to enact legislation which will conform as nearly as possible to the agreement reached between Mexico and our Government.

Mr. CHAVEZ. Mr. President, I should like to ask whether the Senator will yield for a question along this very line.

Mr. ELLENDER. I yield.

Mr. CHAVEZ. I think all Senators will agree that it is very laudable to try to observe our agreements with a foreign country, but in carrying out the agreement with Mexico, for example, and in trying to comply with it, does not the Senator agree with me that it seems to be consistent, at the same time, not to do anything which would be detrimental to our own citizens, whether they be laborers or whether they be farmers?

Mr. ELLENDER. I am unable to agree with the Senator that we are doing anything detrimental to our own citizens. I, for one, would not stand for it.

Mr. CHAVEZ. The Senator agrees with me, does he not, that the benefits in this instance will accrue to those along the Mexican border, and will not accrue to the citizens of Idaho, for example?

Mr. ELLENDER. No. I thought the Senator had in mind our domestic workers, not the employers.

Mr. CHAVEZ. I refer to both the workers and the employers. They are all citizens. In this instance, so far as benefits which are to be derived by the employers are concerned, those benefits will accrue principally to employers along the Mexican border, will they not?

Mr. ELLENDER. That has not been the case, as I pointed out. The evidence is contrary to that statement. There were any number of farmers from Idaho, Minnesota, and Oregon, for example, who were employing Mexican labor, and who, under the agreement which is now in existence, paid all transportation and other incidental expenses.

Mr. WATKINS. They did not have to pay the Government in addition to that, did they?

Mr. ELLENDER. I beg the Senator's pardon.

Mr. WATKINS. They did not have to pay the Government \$20 a head in addition to that, did they?

Mr. ELLENDER. No; but they had to go into Mexico to get their labor. The contemplation is that the workers will be brought to the border, and the \$20 charge is to offset the average cost to the Government of transporting the Mexican laborers to the border and return.

Mr. WATKINS. I may point out to the Senator that part of what he has said may actually be true in certain of the sugar-beet growing sections, because the sugar companies, in order to obtain the contracts with workers, have had to assume a great deal of that cost. They have made the contracts in Mexico, and they have brought the laborers into the United States, where they have permitted the farmers to use them on the farms. They were later used at the factories, when the runs were on, after most of the beets had been harvested.

Mr. CHAVEZ. That is true.

Mr. WATKINS. That, of course, is not directly an expense to the farmer. We have many other farmers, in addition to the sugar-beet farmers, who employ this labor. It is for those people that I am speaking. For instance, in my State there are large numbers of celery growers, who employ a large amount of the kind of help affected by the bill. Also there are the fruit growers and some of the potato growers, and any number of small-farm operators who use this help and are absolutely required to have it. I thought the legislation was designed to help them, as well as to help the people in Texas, New Mexico, Arizona, and California. I thought it was going to help them all, but if it is going to make it impossible for us to use that help, it would put us at a competitive disadvantage. Shipping those people into the United States, and keeping them going from place to place, runs into a great deal of money. As I pointed out, many times they stay but a day or two, and then they get other jobs; and they continue that practice. If it is not going to do any good, I do not think I shall vote for what is said to be a general bill to help people of that type; and if it only helps two or three States, I certainly am not going to vote for it.

Mr. ELLENDER. I dislike to disagree with my good friend. The RECORD shows that last year there were 67,421 Mexican laborers under contract. In Arizona there were some 18,000; in Arkansas, there were 5,927; in California, 7,889; in Colorado, 812; in Idaho, 187; in Mississippi, 1,844; in New Mexico, 12,918; in Texas, 29,105.

Mr. WATKINS. Does the Senator have the figures for Utah?

Mr. ELLENDER. None were contracted for employment in Utah.

Mr. WATKINS. Last year?

Mr. ELLENDER. That is right.

Mr. WATKINS. There was no fruit crop, for one reason. It was frozen out.

Mr. ELLENDER. That is possibly the reason.

Mr. WATKINS. The situation which we are now facing in Utah is different from the situation which existed a year ago. There were some of our farm boys left on the farm, but now they are being taken into the service. Many boys have been taken from the farms, and there is a desperate situation. We shall probably have to call on foreign labor this year to take care of the fruit crop, the sugar-beet crop, and other crops which are coming along. For that reason, I am making a plea to the Senate to make this bill workable so that we can get a

sufficient supply of labor to assure adequate provision of food for the country.

Mr. ELLENDER. If the Senator is willing to undertake at this time to establish a subsidy program, that is for him to decide. But the Committee on Agriculture and Forestry discussed the question at several meetings—

Mr. WATKINS. Why not fix the amount the Government is to pay, and then let Texas and all the rest of the States involved help take care of the cost?

Mr. ELLENDER. What the committee tried to do was to let the burden be carried by the farmers and not by the Federal Government. That is how it has been done in the past.

Mr. WATKINS. Let me point out how these matters are handled in irrigation States. In Utah there is a canal 25 miles in length. Obviously, the man at the head of the canal takes his water out and has very little expense. If he were required to pay only the expense of getting the water to him, it would be a very easy situation. What we do is to require every man to pay his share of the bill. All pay on substantially the same basis. The man who is 25 miles away pays the same assessment as does the man at the head of the canal. If the canal is too long, it is possibly cut into two divisions, but the man at the upper end knows he must help carry the whole burden, so they will all be on the same competitive basis. It seems to me that is a fair principle. We are used to that in the far West.

Mr. ELLENDER. I imagine that if the principle advocated by my distinguished friend were carried out, we would hear a lot of squawking from the farmers. Some of this labor comes from Puerto Rico and the Bahamas.

Mr. WATKINS. That does not apply to this bill.

Mr. ELLENDER. But if we are to be fair, we must take care of the States on the Atlantic coast which now contract for labor from Puerto Rico, the Bahamas, Jamaica, and Canada.

Mr. WATKINS. The cost of water transportation, and similar costs, would about even up the expenses.

Mr. ELLENDER. Today employers who need workers in Florida, in New Jersey, or, in fact, in any of the Atlantic States, deal directly with workers from the Bahamas, Jamaica, and Puerto Rico. At present they pay for part of the cost of recruitment and the expense of transportation and the worker pays the remaining part.

Mr. WATKINS. Is that for seasonal work, such as farm operation?

Mr. ELLENDER. Yes. What the employers do in States such as Florida or any other of the Atlantic Coast States is to go to the United States Employment Service and obtain a certificate showing that labor is not available to carry on the necessary farm work. With that certification they go to foreign governments and a contract is entered into between the employers in this country and workers in the Bahamas or in Jamaica, for illustration. Bonds are posted by the employer, and the worker then comes to this country for seasonal employment.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HICKENLOOPER. I think the Record should show that farmers on the eastern seaboard who have been accustomed to using labor from the islands offshore do not ask to be included in this bill. They are perfectly satisfied with the arrangement which they have, and they do not want any Government supervision. They make their own arrangements and are happy with them. They said they were not concerned about being included in the proposed legislation.

Mr. ELLENDER. That is correct. But I am sure the Senator is aware that if we should decide to subsidize the transportation of Mexican labor or domestic labor, we would be asked to subsidize the transportation of labor from the islands to this country. If we ever start that, there is no telling where it will end.

Mr. WATKINS. Mr. President, will the Senator yield further?

Mr. ELLENDER. I yield.

Mr. WATKINS. What was done in that regard during World War II?

Mr. ELLENDER. There was an extensive subsidization program at that time. If the Senate is desirous of entering into a subsidization program, it is for the Senate to decide.

Mr. WATKINS. What did the employers on the Atlantic seaboard do?

Mr. ELLENDER. They got the necessary help. The Senator from Iowa has suggested that they are desirous of being excluded from the provisions of the bill because of the friendly relationship they have with the governments of Jamaica, Puerto Rico, and the Bahamas. They do not want the situation disturbed, and they ask to be excluded from the bill, as the Senator just stated. But I am saying that if the Senate should decide to subsidize the transportation of Mexican and domestic labor, they will want to come under the terms of the bill. And if the employers will not want it, you can be sure the representatives of the workers will demand inclusion.

Mr. WATKINS. In most of the Mountain States we would not be asking for any help if the Government would let us alone. There has got to be some equalization somewhere in order to live.

Mr. ELLENDER. If it were not for the emergency—

Mr. WATKINS. And that emergency is almost perpetual.

Mr. ELLENDER. If it were not for the emergency, we would not have to deal with this bill at this time. As I have stated, the Mexican Government will terminate the present agreement June 30 and it is imperative that some program of importing agricultural workers from Mexico be continued in order to supply necessary farm labor.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CHAVEZ. The Senator says that if Mexican labor were subsidized, possibly labor from Jamaica would ask for the same thing. I do not consider Puerto Rican labor in the same situation with Mexican or Jamaican labor. The way to

correct the situation, so as not to subsidize, is to utilize all our American labor.

Mr. ELLENDER. The pending bill provides that we shall have to use American labor before we can import Mexican labor. I hope the bill, if it is enacted, will be administered to that end.

Mr. President, the fourth amendment section 502, page 4, beginning on line 2, provides that in the case of a worker leaving his place of employment before termination of the contract period, the employer would pay an amount determined by the Secretary of Labor to be equivalent to the normal cost of returning other workers from the place of employment to the reception center only if the worker were apprehended within the United States. The bill as introduced would have required such reimbursement regardless of whether the worker was apprehended or not. In addition, the language has been clarified to avoid the interpretation that the employer would have to pay the costs of apprehension.

The committee received testimony to the effect that under the present program, some of the bonds executed by employers have been forfeited notwithstanding the fact that the Mexican laborers involved had returned voluntarily to the Republic of Mexico.

The fifth amendment, dealing with section 504, at page 4, beginning on line 23, provides that Mexicans already in the United States and eligible for recruitment can be recontracted under the program pursuant to arrangements between the United States and Mexico.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CHAVEZ. Of course, it is understood that the word "legal" is in the bill.

Mr. ELLENDER. "Under legal entry." That is correct. Two amendments to that effect are pending. One was submitted by the distinguished Senator from Minnesota [Mr. HUMPHREY]. The other amendment was submitted by the distinguished Senator from New Mexico [Mr. ANDERSON]. Personally I do not believe that it is necessary to amend the bill in that respect, for the reason that in order for such Mexicans to remain in the country it would be necessary to obtain the consent of the Mexican Government. I am positive that with respect to Mexican labor which came into the country illegally, the consent of the Mexican Government could not be obtained. However, I am willing to accept an amendment to make it certain that only those who entered legally can be recontracted.

Mr. CHAVEZ. Does not the Senator from Louisiana think that in order to carry out the purposes of the bill and in order to protect a man who enters legally and is recruited for work, a provision should be written into the bill which would compel the Immigration Bureau to deport the persons who were in the country illegally, because they would be competing against those who were in the country legally?

Mr. ELLENDER. The records show that during last year possibly more than a million Mexicans entered the United

States illegally. More than 500,000 of them were returned to Mexico by the Immigration Service.

Mr. CHAVEZ. That leaves 500,000 to compete with the ones who had come in legally.

Mr. ELLENDER. What we are trying to do is to provide that an employer may not employ any Mexican laborer who did not enter the country legally. If there is any other language which the Senator can suggest in order to make the provision stronger, I would cheerfully consider it. As I pointed out a little while ago, the bill provides that the Secretary of Labor shall "recruit such workers—including any such workers temporarily in the United States under legal entry."

The amendment which I have been discussing would be at page 4 in section 504. The Senator from New Mexico [Mr. ANDERSON] has suggested that the word "already" be stricken and the word "legally" be inserted. The Senator from Minnesota [Mr. HUMPHREY] has suggested that the language be "by virtue of legal entry."

Mr. HUMPHREY. That is correct.

Mr. ELLENDER. I prefer the language suggested by the Senator from Minnesota to that suggested by the Senator from New Mexico. I think it would make it plainer, and it would be more in accord with the language which we have included in section 501 on page 2.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HUMPHREY. We discussed the subject, and we both have the same objective. My amendment is basically a refining amendment, and its purpose is to tighten up the language.

Mr. ELLENDER. Yes. I think I convinced an official of the Department of Labor that such language would be superfluous, because as to Mexican employees it would be necessary to obtain the consent of the Mexican Government. Certainly the Mexican Government would not consent to the employment of Mexicans who had entered the United States illegally. That is the very thing that the Mexican Government is fighting; they are fighting against the wet-back problem. That is why they are insistent on making it positive and certain that under no conditions shall employers be permitted to hire Mexicans who entered the United States illegally.

Mr. HUMPHREY. I know what the Senator's objectives are. It was my purpose, in offering the amendment, to tighten up the provisions and to tie down the language so that there could be no doubt about it in anyone's mind.

Mr. ELLENDER. Certainly, I shall not object to that being done. I want to carry out the intention of the bill as I understand it.

Mr. CHAVEZ. Mr. President, I hope that the Senator, between now and tomorrow, will look over one of the amendments which I have submitted.

Mr. ELLENDER. Yes. I have all of the Senator's amendments.

Mr. CHAVEZ. The one that refers to this particular section is lettered "I."

Mr. ELLENDER. I have them all, and I shall look them over tonight.

Mr. CHAVEZ. That is the amendment which deals with the subject.

Mr. ELLENDER. I know I shall have some time this evening to look them all over.

The sixth amendment, being to section 507, page 6, beginning at line 17, strikes out—

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. Yes.

Mr. McFARLAND. May I inquire how much longer the Senator will take?

Mr. ELLENDER. Four minutes. I should like to complete my statement. I assure the Senator that if I am not interrupted any more, although I do not mind being interrupted, I shall be able to conclude in 4 minutes.

Mr. McFARLAND. Mr. President, if hoping will help the Senator, I hope he will not be disturbed.

Mr. ELLENDER. The sixth amendment strikes out the addition of horticultural employment, cotton ginning and compressing, crushing of oil seeds, and the packing, canning, freezing, drying, or other processing of perishable or seasonal agricultural products in the definition of agricultural employment. The amendment restricts the use of Mexican laborers to the work defined as agricultural employment in the Fair Labor Standards Act of 1938 and the Internal Revenue Code.

Mr. President, at this point I ask unanimous consent that there may be printed in the Record definitions of "agricultural employment," as contained in the two references.

There being no objection, the definition was ordered to be printed in the Record, as follows:

Section 3 (f) of the Fair Labor Standards Act:

"'Agriculture' includes farming in all its branches and, among other things, includes the cultivation and tillage of the soil; dairying; the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities defined as agricultural commodities in section 114j (g) of title 12; the raising of livestock, bees, fur-bearing animals, or poultry; and any practices (including any forestry or lumbering operations) performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including preparation for market, delivery to storage, or to market or to carriers for transportation to market."

Section 1426 (h) of the Internal Revenue Code:

"The term 'agricultural labor' includes all services performed—

(1) On a farm, in the employ of any person, in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and fur-bearing animals and wildlife.

(2) In the employ of the owner or tenant or other operator of a farm, in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment, or in salvaging timber or clearing land of brush and other debris left by a hurricane if the major part of such service is performed on a farm.

Mr. CHAVEZ. Mr. President, may I ask a short question of the Senator?

Mr. ELLENDER. I yield.

Mr. CHAVEZ. It generally refers to field labor?

Mr. ELLENDER. That is correct. The committee has deleted from the bill the language to which I have referred, namely, with respect to packing, canning, freezing, drying, or other processing.

Mr. CHAVEZ. Any processing?

Mr. ELLENDER. Yes.

The seventh amendment, dealing with section 507, page 6, beginning on line 21, provides that the Secretary of Labor shall enter into an agreement with an association or group of employers only if those of its members for whom workers are being obtained are bound, in the event of its default, to carry out the obligations of the association or group, or if the Secretary determines that such individual liability is not necessary to assure performance of the obligations of the association or group.

The final amendment, which is section 508, on page 7, beginning on line 5, as recommended by the committee, is a new section providing that the act shall not be construed as limiting the authority of the Attorney General to permit the importation of workers from other foreign countries for agricultural employment, pursuant to the general immigration laws, or to permit any such alien who entered the United States legally to remain for employment on farms.

In conclusion, I should like to discuss two aspects of the farm-labor situation in the United States. It is likely that shortages will occur in the supply of farm labor in various parts of the country this year. It would seem to me that how critical the shortages will be depends on a number of imponderables and it is impossible to determine now just how many more workers will be needed. This bill was not designed to provide a farm-labor program to meet widespread emergencies throughout the country. Your committee believes that legislation on that subject should be considered separately and would require further study with respect to the extent to which such a program would be subsidized by the Federal Government. At the same time this bill does provide sources of farm labor to meet critical shortages in those areas which have heretofore utilized workers imported from Mexico. By continuing and strengthening the program of importing workers from Mexico this bill will undoubtedly help in the production of essential food and fiber in those areas.

The problem most often discussed in relation to the farm-labor situation, particularly in the Southwest, is the wet-back problem. I think it should be noted that the bill has been amended to prohibit the utilization of any worker who has entered this country from Mexico illegally. Under the existing agreement wetbacks could be recruited for work in the United States and undoubtedly that provision encouraged further illegal immigration. While the bill does not attempt to solve the problem by imposing additional penalties on employers of wetbacks, it does provide a program

whereby agricultural producers can obtain workers legally. If the bill is not enacted the present international agreement will be terminated and the extensive program of importing farm workers from Mexico will end June 30. I firmly believe it in the interest of the country that the program agreed upon by the Mexican and United States Governments and as authorized by this legislation should be established. Therefore, Mr. President, I urge favorable action on S. 984, as amended.

Mr. President, I wish to state that in order to further assist in connection with the wetback problem, and in conformity with the promise which I made to many members of the Mexican delegation that I would sponsor a bill to make it a punishable offense for an American employer knowingly to employ an alien illegally in this country, such a bill was prepared and introduced by me today.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CHAVEZ. I should like to ask the Senator from Louisiana a question. What objection would there be to offering the bill which the Senator has introduced today as an amendment to the pending bill, to take care of the wetback problem?

Mr. ELLENDER. The reason why I do not believe we ought to consider such a course is that there is such a provision in a bill which was introduced by the distinguished Senator from Nevada [Mr. McCARRAN], and that problem is now being considered by the Judiciary Committee.

I do not wish to load down the bill with subject matter which may be more or less foreign to what we are trying to do at the moment and which does not come within the jurisdiction of the Agriculture Committee. I assure my good friend from New Mexico that I shall take the matter up at the first opportunity with the chairman of the Committee on the Judiciary and ask him to consider the bill which I have introduced, separate and apart from the omnibus bill. I am very hopeful that we shall have early action on that bill, and I am hopeful that the Senator will agree with my views, as expressed in that bill, which conforms with the view of many of our friends in Mexico, that the way to deal with the wetback problem is to impose certain restrictions on the employment by corporations or individual employers in this country of aliens illegally in the country, when they hire men whom they know to be illegally in the country.

Mr. CHAVEZ. I am acquainted with the situation from the standpoint of first-hand knowledge. Statements have been made in my presence by persons who are so ruthless that they would prefer to employ a wetback rather than a man entering the country legally, and coming under the provisions of the Senator's bill. Knowing that class of people, I believe that a portion of the bill which the Senator introduced today should be inserted in the pending bill. I shall look it over, and if it is proper, I

shall try to work it out so as to offer it as an amendment.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. McFARLAND. Mr. President, as in executive session, I ask unanimous consent that the Senate consider the nominations on the Executive Calendar.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Without objection, it is so ordered.

The clerk will state the nominations on the Executive Calendar.

POSTMASTERS—NOMINATION PASSED OVER

The Chief Clerk read the nomination of Arthur L. Jennings to be postmaster at Texarkana, Ark.-Tex.

Mr. McFARLAND. Mr. President, I ask that this nomination be passed over.

The PRESIDING OFFICER. Without objection, the nomination of Arthur L. Jennings, to be postmaster at Texarkana, Ark.-Tex., will be passed over.

POSTMASTER NOMINATIONS CONFIRMED

Mr. McFARLAND. Mr. President, I ask unanimous consent that the remaining postmaster nominations on the Executive Calendar be confirmed en bloc, and that the President be notified.

The PRESIDING OFFICER. Without objection, the remaining postmaster nominations are confirmed en bloc; and, without objection, the President will be immediately notified.

That concludes the Executive Calendar.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. HUMPHREY in the Chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

GENEVA CONVENTIONS FOR THE PROTECTION OF CERTAIN WAR VICTIMS—REMOVAL OF INJUNCTIONS OF SECRECY

The PRESIDING OFFICER. As in executive session, the Chair lays before the Senate Executive D, Eighty-second Congress, first session, a Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field; Executive E, Eighty-second Congress, first session, a Geneva Convention for the Amelioration of the Condition of Wounded, Sick, and Shipwrecked Members of Armed Forces at Sea; Executive F, Eighty-second Congress, first session, a Geneva Convention Relative to the Treatment of Prisoners of War, and Executive G, Eighty-second Congress, first session, a Geneva Convention Relating to the Protection of Civilian Persons in Time of War, which were open for signature from August 12, 1949, until February 12, 1950, and during that period were signed on behalf of the United States of America and a number of other States. Without objection, the injunctions of secrecy will be removed from the conventions, and the conventions, together with the President's message, will be referred to the Committee

on Foreign Relations, and the message from the President will be printed in the Record. The Chair hears no objection.

The President's message is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified copy of each of the following conventions:

(1) Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field,

(2) Geneva Convention for the Amelioration of the Condition of Wounded, Sick, and Shipwrecked Members of Armed Forces at Sea,

(3) Geneva Convention relative to the Treatment of Prisoners of War,

(4) Geneva Convention relative to the Protection of Civilian Persons in Time of War, which were open for signature from August 12, 1949, until February 12, 1950, and during that period were signed on behalf of the United States of America and a number of other States.

I also transmit, for the information of the Senate, the report made to me by the Secretary of State with respect to this matter.

In the event that the Senate advises and consents to the ratification of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, it is requested that the Senate do so subject to the reservation made by the plenipotentiary of the United States in signing the convention, namely:

The United States reserves the right to impose the death penalty in accordance with the provisions of article 68, paragraph 2, without regard to whether the offenses referred to therein are punishable by death under the law of the occupied territory at the time the occupation begins.

HARRY S. TRUMAN.

The WHITE HOUSE, April 26, 1951.

(Enclosures: (1) Report of the Secretary of State, with accompanying commentaries; (2) certified copies of Geneva Conventions of August 12, 1949, for the Protection of War Victims.)

RECESS

Mr. McFARLAND. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 16 minutes p. m.) the Senate took a recess until tomorrow, Friday, April 27, 1951, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 26 (legislative day of April 17), 1951:

IN THE COAST GUARD

The following-named persons to be lieutenants in the United States Coast Guard:

James N. Jensen	Robert B. Black
Joseph N. Gonyeau	William G. Roden
Walter C. Schafran	Sidney F. Hansen

The following-named persons to be lieutenants (junior grade) in the United States Coast Guard:

Robert L. Smith	Frederick W. Folger
Walter Folger	John V. Caffrey
Frederick O. Wooley	Hollis M. Walker, Jr.
Thomas Osman, Jr.	Henry E. Engelbrecht
Lyle W. Lemos	

IN THE AIR FORCE

The following-named officers for promotion in the United States Air Force under the provisions of sections 502, 508, and 509 of the Officer Personnel Act of 1947. Those officers whose names are preceded by the symbol (X) are subject to physical examination required by law. All others have been examined and found physically qualified for promotion.

To be major

CHAPLAIN

X Walker, Jared Allen, 18776A.

To be captains

UNITED STATES AIR FORCE

Alexander, William George, 15813A.
 X Algermissen, Robert Louis, 15846A.
 X Allen, Roy Leon, 15981A.
 X Allman, Conrad Scott, 15984A.
 X Almquist, Peter Williams, 18072A.
 X Anderson, Winston Paine, 15848A.
 X Anding, Marvin Ellis, 16026A.
 X Archbold, William Elmer, 16020A.
 X Armstrong, Luther Erwin, Jr., 15854A.
 X Armstrong, Robert Hawkins, 15899A.
 X Auger, Gerald Francis, 16009A.
 X Austin, Noel Degner, 15825A.
 X Badger, William David, Jr., 16004A.
 X Bahls, Roy Andrew, 15378A.
 X Baker, William Albert, 15887A.
 X Bandy, James Ross, Jr., 15874A.
 X Barnett, Lloyd, Jr., 15873A.
 X Barrett, Joseph Edward, 15982A.
 X Bartz, Theodore John, 15851A.
 X Beam, Walter John, 16044A.
 X Benshoff, James John, 16029A.
 X Berry, George Russell, 15806A.
 X Beukema, Henry Shaw, 15835A.
 X Bevacqua, Eugene Anthony, 16054A.
 X Bierman, Clarence Edward, 16045A.
 X Bingham, Melvin Edgar, 16031A.
 X Bingham, William Lane, 15914A.
 X Blake, David, 15922A.
 X Bolton, Robert Young, 16048A.
 X Boning, John, 15955A.
 X Bottomly, Heath, 15893A.
 X Boutwell, Harold Knight, 15958A.
 X Bowers, Bernice Overton, 16049A.
 X Bradley, William Francis, 15959A.
 X Bright, Robert Paul, 15966A.
 X Brotherton, Robert Graham, 15909A.
 X Brouns, Robert Christopher, 15811A.
 X Brown, George Andrew, 15892A.
 X Brundin, Robert Henrik, 15844A.
 X Buchanan, Jack, 15804A.
 X Buckley, William Robert, Jr., 15930A.
 X Burke, Robert Emmett, 15983A.
 X Burrell, Gordon Emmons, 15891A.
 X Calhoun, John Davis, 15836A.
 X Callaghan, Eugene Francis, 15950A.
 X Callan, Robert Brown, 15871A.
 X Cerasale, Anthony Generos, 16019A.
 X Chandler, William Sidney, 15956A.
 X Charlson, William Edward, 15932A.
 X Cheadle, Geoffrey, 15830A.
 X Christenson, John Milton, 16021A.
 X Clayton, Lawrence Locke, Jr., 15952A.
 X Coble, Clifford Dixon, 15903A.
 X Coggins, David Robert, 15987A.
 X Cojeran, Stephen, 15994A.
 X Cole, Darrell Allan, 16058A.
 X Connolly, John William, 15816A.
 X Connor, George Walter, 16023A.
 X Coons, Richard Laurence, 16039A.
 X Courtney, William Taylor, 15948A.
 X Cowee, James Oliver, 15901A.
 X Creed, Richard Lawrence, Jr., 15939A.
 X Critchlow, David Madison, 16011A.
 X Crowell, Dean Garland, 15969A.
 X Cumberpatch, James Richard, 15876A.
 X Cupper, Andrew Joseph, 15908A.
 X Curto, Domenico Antonio, 15803A.
 X Czapar, Charles Harold, 15863A.
 X Darr, Wayne Lavern, 15809A.
 X Deakin, Bruce Keeley, 15913A.
 X de la Mater, Lyall Davies, Jr., 15942A.
 X Dennen, Richard Llewellyn, 15837A.
 X Duke, Daniel Fitzgerald, Jr., 16043A.
 X Dunn, Ray Aloysius, Jr., 15915A.
 X Earley, Leonard Eugene, 15971A.
 X Edmunds, Alan Clifford, 15875A.
 X Eglin, Frederick Irving, Jr., 16007A.
 X Emerson, Harold Robert, 15953A.
 X Eversole, Delbert Eugene, 16055A.
 X Faas, Robert William, 15866A.
 X Fairbrother, William Herman, 15961A.
 X Farris, Stephen Adam, Jr., 15894A.
 X Ferris, Donald Joseph, 15980A.
 X Filson, Robert Lee, 15974A.
 X Fisher, Harold Carl, 15986A.
 X Fitton, David Edwards, Jr., 15928A.
 X Fleischman, George Walter, Jr., 16000A.
 X Fleming, Dale Robert, 15968A.
 X Forthofer, Franklin Oliver, 18310A.
 X Fournie, James Carmichael, 16003A.
 X Fowler, Horace George, 15989A.
 X Fowler, Richard Bernard, 15933A.
 X Fullilove, William Charles, 15853A.
 X Gafford, Grady Douglas, 16030A.
 X Gamble, Louis George, 15850A.
 X Garrison, James Samuel, 16037A.
 X Geltz, Theodore Hess, 15886A.
 X Gerhard, Frederick William, Jr., 15859A.
 X Gervais, Frederick Banks, 15945A.
 X Geyer, John Russell, 15858A.
 X Gillen, Frederick Raymond, 16053A.
 X Ginsburgh, Robert Neville, 18108A.
 X Glick, Gregg F., 15869A.
 X Gray, Bert, 16025A.
 X Green, James William, 15821A.
 X Greenhill, Noble Franklin, Jr., 15907A.
 X Gregor, John Robert, 15805A.
 X Gregory, Edgar Willis 2d, 15879A.
 X Griffith, Ray Morris, 16017A.
 X Grigsby, Howard Burton, 15814A.
 X Hale, Francis Joseph, 15822A.
 X Halvorsen, Gail Seymour, 15991A.
 X Hamm, Paul James, 15938A.
 X Hammond, William Robert, 15867A.
 X Hanley, John Warren, 15964A.
 X Helton, Oscar Underwood, 16012A.
 X Hemmig, Ralph Brian, 15975A.
 X Hempleman, Glen Roger, 15852A.
 X Henderson, Frank David, Jr., 15840A.
 X Henderson, Landis Duane, 16032A.
 X Henderson, William Justus, 15842A.
 X Hendrickson, Leslie H., Jr., 15936A.
 X Hennessy, Francis Benedict, 15880A.
 X Hinkey, Leo, 15919A.
 X Hoffman, George Earl, Jr., 15943A.
 X Hoidra, George, 15973A.
 X Holme, Brant, Jr., 15997A.
 X Horvath, Frederick, 16041A.
 X Hoxie, Thomas Byron, 15931A.
 X Humbert, Donald Ardman, 15972A.
 X Ingalls, Robert Dorrance, Jr., 15965A.
 X Ingersoll, George Lyman, 15824A.
 X Janeczek, Raymond, 15883A.
 X Jentsch, Clarence August Emrich, 16002A.
 X Johnson, John Nettleton 3d, 15954A.
 X Johnson, Robert Edwin, 15993A.
 X Jones, Frank Ross, 16052A.
 X Jones, James Brady, 15820A.
 X Jones, Paul, Jr., 15860A.
 X Kane, Robert Leo, 15812A.
 X Keever, Bernard Vincent, 15992A.
 X Kincaid, John Peyton, 15941A.
 X King, John Creighton, 15925A.
 X Kizer, Robert Lester, 16050A.
 X Klossoh, Kenneth Alan McLean, 18107A.
 X Lamp, John Oscar, 15890A.
 X Lang, Albert Shumway, 16001A.
 X Linhof, Eric, 16046A.
 X Livermore, Ross Edward, 16016A.
 X Long, Emmett Napoleon, 16024A.
 X Lynn, Thomas James, 15905A.
 X Mahoney, Thomas Edmund, Jr., 15841A.
 X March, Christian Laurin, Jr., 16027A.
 X Maxon, George Emmett, Jr., 15910A.
 X McCoy, Martin Everett, Jr., 15843A.
 X McElvey, John Octavius, 15949A.
 X McGlothlin, William Claude, Jr., 15928A.
 X McIntire, Jesse Carlton, 16010A.
 X McIntyre, Angus Joseph, 16035A.
 X McLean, Arthur Joseph, 15877A.
 X McNeil, Loyd Jimmie, 15988A.
 X Merritt, Charles Wilbur, 15996A.
 X Merritt, Francis Ellis, Jr., 15962A.
 X Mickelwait, Malcolm Pitzer, 15929A.

X Milnor, William Henry, 15861A.
 X Mire, Evarice Camille, Jr., 15916A.
 X Monihan, James Gregory, Jr., 15940A.
 X Moore, John Peter, 15906A.
 X Moore, John Tardy, Jr., 15845A.
 X Moore, Wallace Daniel, 15937A.
 X Morrison, Robert Eugene, 15857A.
 X Mortland, Robert Amos, 15868A.
 X Mouth, James Harry, 15977A.
 X Muller, Hollis LeRoy, Jr., 15960A.
 X Mullin, Charles Harris, 15947A.
 X Murphy, Edward Conley, 15917A.
 X Murray, Donald Henry, 15999A.
 X Myslinski, Casimir J., 15934A.
 X Nassoly, Edward Falvey, 16022A.
 X Nealon, Ivan Windingland, 15912A.
 X Nelson, James Richard, 15855A.
 X Norman, Lewis Sheppard, Jr., 15895A.
 X Norton, Aloysius Arthur, 15946A.
 X O'Brien, Kenny D., 15817A.
 X Owens, Thomas Ralph, 16018A.
 X Palmer, Duncan, 15921A.
 X Pardee, Munson Hackett, 15872A.
 X Peugh, William Earl, 15832A.
 X Polak, Richard Everard, 15979A.
 X Porter, Frederick Brenton, Jr., 15896A.
 X Prael, Val Edward, 15944A.
 X Prullt, Victor Claude, 16040A.
 X Pugh, Lloyd Randolph, Jr., 15902A.
 X Ragland, Thomas Ben, Jr., 15838A.
 X Reagan, Robert Paul, 15888A.
 X Reeves, James, 16033A.
 X Reeves, Owen Thornton, 15826A.
 X Rhodes, Ralph Leach, 15881A.
 X Richards, John Philip, 16057A.
 X Rivers, Robert Stafford, 15967A.
 X Roberts, Gail Dexter, 15815A.
 X Robinson, John Nicholas, Jr., 15864A.
 X Rogers, Roland, 15810A.
 X Royem, Robert Louis, Jr., 15897A.
 X Salzer, Lester LeRoy, 15904A.
 X Sampson, Charles William, 15839A.
 X Sanders, John, 15963A.
 X Scott, Arthur Andrew, 16006A.
 X Sellers, Robert Carey, Jr., 15828A.
 X Shoemaker, Robert Milton, 15920A.
 X Silver, Martin, 16056A.
 X Simmons, James Norbert, 15819A.
 X Skinner, Wilfred Fulton, 16013A.
 X Smith, Foster Lee, 15882A.
 X Sohn, Bernard, 15827A.
 X Southwick, William Elvin, 15990A.
 X Stahl, Edward Schuyler, 15951A.
 X Steffes, Eugene Quirn, Jr., 15885A.
 X Steger, William Elbert, 15833A.
 X Stonebraker, Donald Marvin, 15818A.
 X Sullivan, William Randolph, 15858A.
 X Susott, John Leon, 15918A.
 X Symons, Howard Hamlet, 15884A.
 X Tanner, Howard Nelson, Jr., 15935A.
 X Tisdale, Pierre Anthony, 15834A.
 X Trapold, Augustine Charles 3d, 16005A.
 X Troupe, John Terney, 16038A.
 X Truesdell, William Irwin, 16060A.
 X Trumbo, Waller Franklin, 15978A.
 X Urban, Robert Sylvester, 16051A.
 X Walters, William Henry, 15865A.
 X Warren, Kenneth Eugene, 15985A.
 X Waterman, Joseph Raymond, 15823A.
 X Watters, Burr Sells, Jr., 16028A.
 X Weir, John Gordon, 15911A.
 X Werner, John Martin, Jr., 15923A.
 X Whiting, Carlyle Fairfax, 15900A.
 X Williams, John Gordon, Jr., 15870A.
 X Williams, Thomas George, 15976A.
 X Wilson, Louis Andrew, Jr., 15849A.
 X Winter, Ferdinand John, 16047A.
 X Wykoff, Gerald Kenneth, 16015A.
 X Xenakis, Nick James, 16014A.

To be first lieutenants

UNITED STATES AIR FORCE

X Allen, James Rodgers, 17789A.
 X Anderson, Andrew Broadus, Jr., 17791A.
 X Anderson, Carl Andrew, 17747A.
 X Anderson, DeLane Edward, 20693A.
 X Barber, Kenneth Hawthorne, 17845A.
 X Barondes, Arthur deRohan, 17774A.
 X Barton, Raymond Oscar, Jr., 17763A.
 X Berry, Richard Parks, 17840A.
 X Bertoni, Waldo Emmerson, 17780A.

DIGEST
OF
CONGRESSIONAL PROCEEDINGS
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Division of Legislative Reports
(For Department staff only)

Issued Apr. 30, 1951
For actions of Apr. 27, 1951
82nd-1st, No. 76

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HIGHLIGHTS: Senate debated farm-labor bill. Senate committee reported trade-agreements bill. Sen. Aiken claimed Labor and Agriculture Departments' releases on cost of living are contradictory. House committee reported independent offices appropriation bill.

SENATE

1. **FARM LABOR.** Continued debate on S. 984, to provide for importation of farm laborers from Mexico (pp. 4576, 4591-611).
Sen. Wiley asked more consideration of farm-production needs in connection with deferments from selective service (pp. 4572-3).
2. **TRADE AGREEMENTS.** The Finance Committee reported with amendments H. R. 1612, to continue the authority for reciprocal trade agreements (S. Rept. 299) (p. 4573). See Digest 75 for summary of bill as reported.
3. **EXPENDITURES.** The Joint Committee on Reduction of Nonessential Federal Expenditures submitted a report on emergency agency overhead (S. Doc. 35) (p. 4573).
4. **COST OF LIVING.** Sen. Aiken quoted from a Labor Department report which, he said, blames the increase in the cost of living on farmers, and from an Agriculture Department report stating that farm prices have declined. The Senator said: "The two contradictory releases lead me to wonder whether we can believe...our Government..." (p. 4611.)
5. **MILITARY TRAINING.** The conferees took various additional actions in their consideration of S. 1, the military training and service bill (p. D336).
6. **RECESSED** until Mon., Apr. 30 (p. 4611).

HOUSE

7. **INDEPENDENT OFFICES APPROPRIATION BILL, 1952.** The Appropriations Committee reported this bill during adjournment of the House, pursuant to special authorization. (The bill was not yet numbered, and regular supplies were not

printed and distributed.)

The bill includes funds for the Civil Service Commission, Budget Bureau, Council of Economic Advisors, emergency fund for the President, disaster relief, General Accounting Office, Housing and Home Finance Agency, Tennessee Valley Authority, Smithsonian Institution, FCC, EPC, ETC, ICC, General Services Administration, etc.

Following is a new provision regarding fees and charges: "It is the sense of the Congress that any work, service, publication, report, document, benefit, privilege, authority, use, franchise, license, permit, certificate, registration, or similar thing of value or utility performed, furnished, provided, granted, prepared, or issued by any Federal agency (including wholly owned Government corporations as defined in the Government Corporation Control Act of 1945) to or for any person (including groups, associations, organizations, partnerships, corporations, or businesses), except those engaged in the transaction of official business of the Government, shall be self-sustaining to the full extent possible, and the head of each Federal agency is authorized by regulation (which, in the case of agencies in the executive branch, shall be as uniform as practicable and subject to such policies as the President may prescribe), to prescribe therefor such fee, charge, or price, if any, as he shall determine, in case none exists, or redetermine, in case of an existing one, to be fair and equitable taking into consideration direct and indirect cost to the Government, value to the recipient, public policy or interest served, and other pertinent facts, and any amount so determined or redetermined shall be collected and paid into the Treasury as miscellaneous receipts: Provided, That nothing contained in this title shall repeal or modify existing statutes prohibiting the collection, fixing the amount, or directing the disposition of any fee, charge or price: Provided further, That nothing contained in this title shall repeal or modify existing statutes prescribing bases for calculation of any fee, charge or price, but this proviso shall not restrict the redetermination or recalculation in accordance with the prescribed bases of the amount of any such fee, charge or price."

The bill contains the same provision as the current law, regarding the using of annual leave by June 30, except that the year is changed from 1951 to 1952, of course. It also authorizes additional "super-grades" in General Accounting Office.

The amount in the bill as reported is \$6,171,777,440, which is \$746,800,025 below the Budget amount.

EXCERPTS FROM COMMITTEE REPORT:

Fees and charges. "The Committee is concerned that the Government is not receiving full return from many of the services which it renders to special beneficiaries. Many fees for such services are specifically fixed by law, and in some cases, it is specifically provided that no fees shall be charged. In other cases, however, no fees are charged even though the charging of fees is not prohibited; and in still others, fees are charged upon the basis of formulae prescribed in law, but the application of the formulae needs to be re-examined to bring the actual charges into line with present-day costs and other related considerations.

"It is understood that other committees of the Congress have interested themselves in this matter and that studies now are under way which may result in further legislation to require that adequate consideration be received for such services. However, such studies are necessarily time-consuming and the required legislation may not be enacted for a considerable period. Accordingly, the Committee has inserted language in the bill (Title V, page 59) which would authorize and encourage the charging or increasing of fees to the extent permitted under present basic laws, but which would in no way conflict with studies now under way to effect changes in such basic laws.

"It is estimated that in 1952 the Government will receive more than \$300,000,000 in fees from sources of the type here under consideration. It seems entirely possible that many of these fees could be raised, and that fees could be charged for other services of similar types in cases where no charge is now made, to the extent that the Government might realize upwards of \$50,000,000 additional revenue."

this point that the distinguished chief executive of my State, the Honorable Walter Kohler, Jr., will be in Washington shortly on this issue, in conjunction with other leading officials of my State, including the mayor of our largest city, the Honorable Frank Zeidler, of Milwaukee.

Recognizing, however, the tremendous number of national and international issues facing us, I am not going to take the time of the Senate to comment at this point. However, I have prepared a statement which I commend to the attention of my colleagues, and in particular to the attention of members of the Federal Power Commission and of the Senate Interstate Commerce Committee. I am having the statement placed in the CONGRESSIONAL RECORD, rather than delivered on the Senate floor. I trust that they will review it with all the earnest attention which they would have given it, had it been possible for me to explore it orally and at length on the Senate floor.

So, Mr. President, I ask unanimous consent that there be printed at this point in the body of the RECORD, the text of my statement, to be followed afterward by a Milwaukee common council resolution on this issue, and the text of an editorial contained in the Milwaukee Journal of April 19.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE PUBLIC MUST BE PROTECTED

The people of Wisconsin were indeed shocked last week when they received the news that the Federal Power Commission by a 4 to 1 decision, had refused to hear evidence that the natural gas rates of the Phillips Petroleum Co. are excessive.

To be sure, the people of Wisconsin were not completely surprised by this news, because unfortunately, the Federal Power Commission for 3 years has tolerated the incredible stalling tactics of the Phillips Petroleum Co. That company has put roadblock after roadblock in the way of a review of the rates charged Badger and other midwestern consumers.

In the days preceding the FPC's action, I protested repeatedly to the Commission against the possibility of its acceptance of the Phillips motion limiting the present hearing to a purely jurisdictional question. In spite of my pleas, however, and in spite of the pleas of other officials of Wisconsin, the FPC turned us down and granted the Phillips motion.

COMMISSIONER BUCHANAN'S SOUND DISSENT

I do want to commend Commissioner Thomas C. Buchanan in whose dissenting opinion a clear presentation in the public interest was made. Commissioner Buchanan warned that the FPC was making a grave mistake in not looking into the gas rates at the same time it was determining jurisdiction. He pointed out that while the majority ruling seemed to have the merit of attempting to put first things first and seeking orderly procedure in the public interest, the action might actually have the opposite result.

The Commissioner indicated his well-justified fears that what the FPC decision meant in effect was a 3-year delay, because that is the average time that elapses in those cases where jurisdiction was the major issue, a 3-year delay between the date of the conclusion of the formal hearing and the date of the final decision, judgment, or decree in the appellate courts.

Thus, there would be no way of securing refunds for the people of Milwaukee even if such were found to be justified after the 3-year judicial delay. Why? Because the natural gas act makes no provision for repatriations.

PEOPLE OF WISCONSIN DEEPLY SUSPICIOUS

Mr. President, the people of Wisconsin are good winners and good losers, if they are convinced the game is being played fair. However, there is a deep suspicion in our minds and hearts that there is back of this legal hocus-pocus on the part of the FPC some smelling shenanigans. We want, however, to be fair. We do not want to smear any individual or any agency. But the facts speak eloquently for themselves.

It seems an ironic fact that here we have a national administration which constantly speaks of its alleged love for the common man and yet there is a long series of its actions—legislative and administrative—which indicate that the administration seems actually to care very little indeed about whether or not the average man is gouged, i. e., is being charged all the rates that the traffic will bear.

I RESPECT INDEPENDENCE OF FPC

Now, Mr. President, I want to point out that I fully respect the Administrative Procedure Act. I do not want to see the Federal Power Commission dictated to by any one, including any one in the legislative branch. I have never, of course, taken any steps which could be construed as dictation either to that or any other agency. I respect the Commission's chairman and its members. However, I have a responsibility to the people of Wisconsin to serve their welfare and the FPC has a responsibility to serve the consumers of the Nation. I am extremely doubtful, however, that it could ever be impartially stated that the FPC has been diligently serving the consumers.

COMMISSION PLAYING FOOTSY WITH PRIVATE INTERESTS

Instead, it seems to have been playing footsy with certain private interests. I do not make that interpretation lightly. As a matter of fact that inference has been drawn by some of the most conservative circles of Wisconsin, by men who dearly prize, as I do, the free enterprise system and the system of independent, co-equal branches of the Government.

The Federal Power Commission has not heard the last from the people of Wisconsin or of America on this issue. If it thinks it can continue to frustrate the legitimate interests of the people, it has another guess coming.

APPEAL TO OPS

I am going to make two suggestions at this point:

1. I appeal to Mr. Eric Johnston, Director of the Office of Economic Stabilization to have members of his staff investigate the effects of the drastic increase in natural gas rates. I believe that the inflationary spiral which has been engendered by this gas-rate increase well merits the OES's and OPS's review.

2. I further appeal to the Federal Power Commission to reconsider its refusal to probe the prices charged by the Phillips Petroleum Co. The FPC's decision definitely need not be final.

KERR BILL'S VETO IS BEING UPSET

Mr. President, I want to point out that last year the President of the United States vetoed the natural-gas bill which would have removed the companies like Phillips from Federal Power Commission control. The President thus killed a bill which most Republicans and I personally had voted against. But now, in effect what is being done is that the Kerr bill is being resurrected and put in effect to all intents and purposes

to the complete satisfaction of the natural-gas companies which backed it.

I do not question the motives or sincerity of those here in the Senate or elsewhere who have favored the exemption of these natural gas producers from Federal control. Among them are some of my dearest colleagues. But I do say that some of these folks' desire for exemption is in striking contrast to their apparent desire to have Government control practically everything else in our economy.

It is to the credit of the President of the United States that he recognized the danger of the Kerr bill. I earnestly hope that President Truman will now take cognizance of this present situation and that he will recognize that his sound decision of a year ago is now being upset by his own appointees. I make these comments completely irrespective of all partisan politics.

FPC'S PECULIAR PROCEDURE IN OKLAHOMA

Let me note before proceeding that the story of the hearing at Bartlesville, Okla., is a shocking commentary on the FPC. After stalling for 3 years, the Commission finally allowed a hearing. Representatives from the State government of Wisconsin, including our able Attorney General Vernon Thompson, journeyed all the way down to Oklahoma, bringing their voluminous records with them, in addition to their witnesses. However, on their arrival they were stunned to learn that what was going to be considered by the FPC was not the reasonableness of the rates, but the ridiculous question—based on a last minute motion—of whether Phillips Petroleum was in effect acting as a natural-gas company.

We might just as well argue whether the Federal Power Commission is actually a commission. As a matter of fact, perhaps there might be some doubt on that latter point. But there is certainly no doubt on the point that Phillips Petroleum does produce and sell natural gas and that it should be subject to regulation in order to protect American consumers.

BEHIND-THE-SCENES OPERATORS AT WORK

Now, Mr. President, this is not the first time in American history that the fact has dawned on the American people that there were behind-the-scenes operators who seem to be exceptionally successful in selling a special-interest viewpoint. I earnestly hope that the facts on this rate issue, when and if fully brought out, will not be such as to further completely demoralize the American public. But I say that the full facts must and should be brought out, regardless of consequences.

POSSIBLE INTRODUCTION OF INVESTIGATION BILL

I have been considering for some time the introduction of legislation to ask that a special subcommittee be set up by the Senate Interstate Commerce Committee to investigate the background of the Phillips Petroleum Co.'s dealings with the Michigan-Wisconsin pipeline company, as well as related natural-gas operations. I have hesitated to introduce such legislation because I well recognize the staggering workload which already exists on my colleagues in the Senate. I well recognize, moreover, that this whole subject is so extremely technical, so complicated, as to require the most intensive and prolonged study by experts.

For those reasons I have held back on the introduction of a bill. However, if it appears that we will have no other recourse, then it may be necessary to introduce such a bill and fight with all my might and main for its adoption and for the launching of such an investigation.

I INTEND TO FULFILL MY RESPONSIBILITY

I will not stand idly by while the people of my State are gouged. I do not believe that mere words on the Senate floor or words in the CONGRESSIONAL RECORD or words in let-

ters to the Federal Power Commission or to any other agency—that such words completely fulfill my responsibility for protection of the American people.

For the present, such words are the only instrument that I have available; but words can be powerful indeed if they awaken the public conscience and if they awaken the splendid conscience of Members of the Congress as well as members of the executive branch who genuinely have the public interest in mind.

Whereas the public interest of the many consumers of natural gas residing in the city of Milwaukee requires that the subject of reasonable and just rates should be thoroughly examined so that it may be ascertained whether the rates charged by gas operators to pipeline companies serving the State of Wisconsin are just and reasonable within the provisions of law and to the end that unjust and unreasonable rates can be promptly and adequately adjusted downward; and

Whereas it is apparent that the pipeline supplying the Milwaukee area bases its charges, to some extent, upon the rates which are charged to it by the producer; and

Whereas the Federal Power Commission has now before it in the Phillips Petroleum Co. proceedings the matter of determining reasonable rates, but has, upon the motion of Phillips Petroleum, limited the issues thus far to technical ones relating to jurisdiction, which issues will not permit an examination or factual presentation into the matter of reasonableness of rates; and

Whereas it is required in the public interests that such factual presentation be had and that a thorough examination be made into the matter of rates to determine what constitutes just and reasonable rates: Now, therefore, be it

Resolved, That the Federal Power Commission be respectfully requested to broaden the issues in the Phillips Petroleum matter so that a complete factual presentation may be had with respect as to whether or not the rates charged are reasonable and just as is required in the public interests, and that copies of this resolution be presented to the Federal Power Commission and each Commissioner thereof and to the United States Senators representing the State of Wisconsin and the Representatives in Congress representing the city of Milwaukee; and be it further

Resolved, That with respect to the application or the filings of the Wisconsin-Michigan Pipe Line Co. for an increase in natural gas rates, the city attorney be requested to take such steps and initiate such proceedings as may be required so as to intervene in the proceedings relative to such filings and in opposition to such applied-for increases.

[From the Milwaukee Journal]

FPC'S ATTITUDE IS INTOLERABLE

The next investigation Congress orders might be to find out what the Federal Power Commission conceives its duty to be. Is it the protection of the public or the protection of natural-gas producers?

Current experience of Wisconsin and Milwaukee is that the FPC isn't interested in consumers at all. It seems to be dedicated to keeping consumers from getting a hearing.

For 3 years Wisconsin and Milwaukee have tried to get the FPC to investigate the rates for natural gas charged at the wellhead by the Phillips Petroleum Co. There is ample evidence that those rates are excessive.

After allowing the Phillips company to stall action since 1948, the FPC recently agreed to set a date for hearing. Phillips complained that Washington was too far from its gas office headquarters in Bartlesville, Okla., to haul records. With its usual

courtesy to Phillips, the FPC consented to take its own voluminous records to Bartlesville. Our city and State and others interested in the case had to carry their records and witnesses there, too.

No sooner had everyone arrived in Bartlesville, with records and baggage, than the FPC announced in Washington that it would not hear the rate case until it decided whether Phillips was in fact acting as a natural-gas company. As Phillips produces and sells gas, this is as academic as the argument over whether the elephant exists.

While this silly argument went on in the guise of a hearing which opened April 3, everyone who carried his records to Bartlesville sat around and waited to use them. All witnesses against Phillips were in Bartlesville without access to the FPC members in Washington. They were kept from reaching the Commissioners to ask directly about the strange FPC rulings and attempting to convince the Commissioners that the concern of consumers was too vital to waste time on inanities.

"They've got us waiting out in the sticks of Oklahoma with records we can't use while they talk issues everyone thought were settled long ago," a Milwaukee official complained the other day.

Now, a new and more intolerable FPC ruling has been handed down. Rates won't be considered in Bartlesville at all, the FPC has informed everyone. The hearing will be confined entirely to the question of jurisdiction. If rates ever are considered, it will be at a later hearing.

That means that the whole trip to Bartlesville and the long wait there have been a complete waste of time and effort. Knowing the propensities of the FPC for stalling and the ability of Phillips to keep the jurisdictional question tied up in the hearings and in courts, the rate question seems doomed to a dim and distant future.

This means, too, that the FPC has again submitted to political pressure from the natural-gas producers. It is allowing Phillips to get by with uncontrolled rates and to delay any attempt to bring them under control. This, in spite of a mandate a year ago when Congress upheld President Truman's veto of the Kerr gas bill which would have exempted Phillips and companies like it from FPC control.

And, as usual, it's the consumer who pays because he can't get a hearing from a Government agency which was set up to protect his interests.

SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO

The Senate resumed the consideration of the bill (S. 984) to amend the Agricultural Act of 1949.

The VICE PRESIDENT. The Secretary will state the first committee amendment.

The LEGISLATIVE CLERK. On page 1, line 9, after the word "from", it is proposed to strike out "foreign countries within the Western Hemisphere (pursuant to arrangements between the United States and such countries) or from Hawaii or Puerto Rico" and insert "the Republic of Mexico (pursuant to arrangements between the United States and the Republic of Mexico.)"

CALL OF THE ROLL

Mr. McFARLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McFARLAND. Mr. President, I ask unanimous consent that the order

for the quorum call be rescinded, and that further proceedings under the call be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

AMERICAN POLICY IN THE FAR EAST

Mr. TAFT. Mr. President, public resentment arising from the dismissal of General MacArthur has brought clearly before the American people the question of the determination of our foreign policy in the Far East, having special reference to the war in which we are engaged with the Chinese Communists. From the determination of what that policy should be we can judge better whether the President was or was not justified in his dismissal of General MacArthur. I do not see how anyone can justify the manner in which that dismissal was handled.

There is, of course, no question that we are at war with Communist China, whether war is declared or is not declared. The President himself, in his radio address to the Nation, referred many times to our contest in Korea as war. The important issue is how we shall fight that war. We have presented to us three alternative proposals.

First, there is the present policy of the administration, as expressed by the President and General Bradley—a stalemate war with no prospect of bringing it to a conclusion, except the pious hope that the Chinese Communists will quite.

Second, there is the Acheson policy, which has certainly in the past proposed to bring that war to an end by an appeasement peace involving, at least potentially, a Korea dominated by communism, the surrender of Formosa, and the admission of Chinese Communists into the United Nations.

A third policy may be called the MacArthur policy, that of confining our own troops to Korea, but using every means possible to win the war through the support of Chinese Nationalists, the bombing of communications and air bases, and the weakening of Chinese operations in Manchuria.

One difficulty with the Truman policy from the over-all standpoint is that it cannot go on forever. So I believe that in the end the choice must be between the Acheson policy and the MacArthur policy.

I am very much concerned that unless Congress clearly expresses its definite opinion in opposition to the Acheson policy, we shall wake up some morning and find that policy already adopted, in the face of the overwhelming disapproval of the American people and of the Congress itself.

Nearly all the speakers on the other side of the aisle in this Chamber have disowned, one by one, the various policies which Mr. Acheson has espoused in the past. But no one in the administration has negated the possibilities of those policies, still urged upon us so strenuously by the British Government in the United Nations. I say that no one in the administration has done so—not the President in his speech to the Nation; not Mr. Acheson in his speech last week to the Nation; not General Bradley in his speech; not the distinguished

cannot do anything, because our State Department has had a long history of friendship, so to speak, with the Chinese Communists, and we must treat them tenderly, and we must keep the United Nations Committee open, so that there may be an appeasement peace. Our policy in Asia is the reverse of everything that has been adopted by the administration with reference to Europe. I believe the time has come when we should bring an end to that policy, and Congress should declare that in Asia, as in Europe, we shall follow a general policy of containment of communism, to the extent of our ability.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I appreciate the remarks of the Senator from Ohio to the effect that we have a firm policy in Europe. We are not at war in Europe with any country. Certainly we are at peace in Europe. The policy in Asia is the reverse of our policy in Europe.

Mr. TAFT. It works the other way.

Mr. CHAVEZ. Our boys are on the battlefield. In Asia it works the other way.

Mr. TAFT. Probably we do not have a war in Europe because we were firm. Probably we have a war in Asia because we were weak.

Mr. CHAVEZ. Irrespective of any conclusions which may be drawn, I should like to make the point that inasmuch as we are not at war in Europe, I am one of those who firmly believe that justifiable duty would compel us to do everything we can to protect the American boys who are doing the fighting and the dying and who are being wounded this very minute in Korea. I think they deserve as much attention in the form of firm determination of a great government as does Western Europe.

Mr. TAFT. I fully agree with the Senator.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. TAFT. Yes.

Mr. KNOWLAND. The Senator from Ohio realizes, of course, that after the President's dismissal of General MacArthur a great feeling of resentment spread throughout the country, not only because of the action but because of the manner in which it was taken, and that it has presented in the Nation a great cleavage.

Some of the spokesmen for the administration have talked a great deal about the need for national unity. I think most of us agree that in meeting the challenges which may be ahead we do need unity among the American people, and we need unity on the floor of the Senate and in the House of Representatives. However, does not the Senator from Ohio believe that we would have a better chance to achieve unity in the Nation and unity in Congress if the Secretary of State, Mr. Acheson, would submit his resignation to the President; or, if he should not submit his resignation, if the President removed him and put in his place a man in whom both Republicans and the Democrats could have con-

fidence, so far as the operation of the State Department is concerned?

Mr. TAFT. I certainly do think that today probably it would be the only way in which unity could be achieved. If the President, instead of dismissing MacArthur or recalling him, had sat down with him and with Mr. Acheson and the Joint Chiefs of Staff, it is entirely possible that, if in fact the administration is against appeasement, there could have been a complete meeting of minds. The difficulty, as I see it, is that so long as Mr. Acheson is Secretary of State, there can be no agreement on a policy against appeasement. It seems to me that so long as he is there, with the record before us of his views and opinions practically up to the moment, there is not much opportunity to achieve unity. We do not have to agree on whether we are to bomb China, or just what to do in Formosa. We do have to agree that we are not going to make an appeasement peace in the Far East and, thus, in effect, surrender and endanger our whole position in the Philippines, in Japan, and throughout the entire western Pacific.

Mr. President, I yield the floor.

SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO

The Senate resumed the consideration of the bill (S. 984) to amend the Agricultural Act of 1949.

Mr. LEHMAN. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a statement I have prepared on the bill now pending.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

As my colleagues know, I am not a farmer, nor do I know in detail the intimate problems of the farm areas in the South and Southwest which have been discussed in connection with the pending migratory labor bill. Nor am I a member of the Agriculture Committee which considered this matter at some length.

I must point out, however, that the question of migratory farm labor or the question of migratory labor in general is a matter in which I have a great interest. It is a matter in which the Labor Committee, of which I am privileged to be a member, also has a great interest. It is a matter in which my own State of New York has a great interest.

As is sometimes overlooked or forgotten, my State of New York is a great agricultural State. Although its leading agricultural product is in the dairy field, New York is also a great producer of vegetables and other truck-gardening crops. In this field of farm production the farmers of my State have a great need for seasonal laborers. In harvesting time many thousands of migrant laborers are employed. Some of these are of continental origin, some of Puerto Rican, some have been from the British West Indies, and in recent years some have been displaced persons. I have received repeated reports especially from Long Island and adjacent areas of great losses suffered by the farmers due to temporary shortages of farm labor.

I have cited all this to indicate my very real basis of interest in the pending legislation.

I have studied the pending measure as closely as I could. On the basis of this study I must associate myself with the distinguished senior Senator from New Mexico

and with my distinguished colleague, the junior Senator from Minnesota, in their strong criticism of Senate bill 984 in its present form.

I do not question or doubt the need for legislation to authorize arrangements to provide in an orderly and controlled manner a supply of farm labor where and when it is needed to meet the urgent demand of our farmers.

I feel strongly, however, that this legislation must be of a kind, and so devised as to protect and safeguard in every way the wage and employment standards of our own farm workers, migrant and otherwise. Legislation must be so drawn as to give unqualified assurance, with adequate administrative provisions, that potential sources of farm labor in this country will be given every opportunity to fill the need before foreign workers are employed.

When I say in this country, I include Puerto Rico. There is great unemployment in Puerto Rico. There are great numbers of people on that island, which is part of the United States, who are qualified as expert farm laborers. The Federal Government contributes heavily in relief money and other Federal grants-in-aid to assist Puerto Rico to take care of these unemployed farm workers. It would seem to be the height of sound fiscal practice, as well as sound social practice, to bring Puerto Rican workers here to supply the need rather than to bring workers in from Mexico. I mean, of course, no reflection on Mexico or on the necessity of maintaining the closest of neighborly relations with that country. This, however, is not a problem in foreign relations but a problem in agriculture and in labor conditions in our own country, including Puerto Rico.

Because of my feeling on this point I have introduced an amendment which I hope will be favorably considered. I also subscribe to a much broader amendment on this same general subject proposed by the Senator from New Mexico, but if his is not agreed to, I certainly would hope that mine, which is a narrower one would be accepted. There are other provisions in this bill which I hope will be remedied in the course of the consideration of this legislation. A number of the other amendments proposed by the Senator from Minnesota and the Senator from New Mexico would greatly improve this legislation.

I have received a number of communications from representative groups in my State urging that I vote against this bill. I hope that vital and necessary improvements will be made in it, which will mitigate the justified opposition to the pending bill.

Mr. CHAVEZ. Mr. President, it is my purpose at this time further to discuss Senate bill 984, which was discussed for some time yesterday afternoon by the Senator from Louisiana [Mr. ELLENDER]. The proposed legislation is of such vast importance that as many Senators as possible should listen to the discussion. I therefore suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CLEMENTS in the chair). The clerk will call the roll.

The roll was called, and the following Senators answered to their names:

Aiken	Clements	George
Anderson	Connally	Gillette
Benton	Cordon	Green
Brewster	Douglas	Hayden
Butler, Md.	Duff	Hendrickson
Butler, Nebr.	Dworshak	Hennings
Byrd	Ecton	Hickenlooper
Capehart	Ellender	Hill
Carlson	Ferguson	Humphrey
Case	Flanders	Hunt
Chavez	Fulbright	Ives

Jenner	McMahon	Smith, Maine
Johnson, Colo.	Malone	Smith, N. J.
Johnson, Tex.	Maybank	Smith, N. C.
Johnston, S. C.	Millikin	Sparkman
Kefauver	Monroney	Stennis
Kem	Moody	Taft
Kerr	Mundt	Thye
Kilgore	Murray	Tobey
Knowland	Neely	Underwood
Langer	Nixon	Watkins
Lehman	O'Connor	Welker
Long	O'Mahoney	Wherry
McCarran	Pastore	Wiley
McCarthy	Robertson	Williams
McClellan	Russell	Young
McFarland	Saltonstall	
McKellar	Schoeppel	

Mr. JOHNSON of Texas. I announce that the Senator from Mississippi [Mr. EASTLAND] is necessarily absent.

The Senator from Delaware [Mr. FREAR] and the Senator from North Carolina [Mr. HOEY] are absent on public business.

The Senators from Florida [Mr. HOLAND and Mr. SMATHERS] are absent by leave of the Senate on official business.

The Senator from Washington [Mr. MAGNUSON] is absent by leave of the Senate on official committee business.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Utah [Mr. BENNETT], the Senator from Illinois [Mr. DIRKSEN], and the Senator from Pennsylvania [Mr. MARTIN] are absent on official business.

The Senator from Washington [Mr. CAIN] is absent by leave of the Senate.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Massachusetts [Mr. LODGE], and the Senator from Oregon [Mr. MORSE] are necessarily absent.

The PRESIDING OFFICER (Mr. CLEMENTS in the chair). A quorum is present.

THE YALTA AGREEMENT AND THE JAPANESE PEACE TREATY

Mr. CHAVEZ obtained the floor.

Mr. JENNER. Mr. President, will the Senator yield?

Mr. CHAVEZ. Yes; provided that it is agreed that by doing so I shall not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered, and the Senator from Indiana may proceed.

Mr. CHAVEZ. Let me inquire how much time the Senator from Indiana wishes to have.

Mr. JENNER. Only 3 or 4 minutes, I believe.

Mr. CHAVEZ. Very well.

Mr. JENNER. Mr. President, it is time we looked carefully at the Japanese peace treaty. I should like to know whether General MacArthur was removed primarily because he was Commander in Korea or because he was Supreme Commander in Tokyo and it was important to get him out of the way before the treaty was signed.

My attention was first attracted by letters from men in the Korean war zone, who said, "Don't let them sign any peace treaty that gives southern Sakhalin and the Kuriles to Russia." There was such a note of bitter frustration, almost out of desperation, in the letters that I started to look for the trouble.

I thought I would take a look at John Foster Dulles' speech on the treaty. You

remember, Mr. President, that General MacArthur said that our military security rests on the chain of islands that guard the far Pacific perimeter, and—note this—that a single break in that island chain would make it possible for an enemy to break through our whole defense line.

The Kurile Islands are the link that runs from the northern tip of Japan almost to the Aleutians, the island path to Alaska. Mr. Dulles has said:

The South Sakhalin and Kurile Islands * * * are actually in Russian possession. Any peace-treaty validation of Russia's title should, we suggest, be dependent upon Russia's becoming a party to that treaty.

Here it is: We are to give permanent title to the islands to Russia, provided only she will be nice and come and get it. This is not only setting the table for Stalin; it is drawing up a chair and begging him to be seated, and promising him everything on the table if he will only grace the party with his presence for a moment.

The Kurile Islands are on the direct route over which we would have to ferry planes from Alaska to Japan. They are the base from which the Japanese launched balloons which were carried by the prevailing winds clear to our Pacific coast during the last war.

Why are we so meekly surrendering these Japanese possessions to Russia? Because, says Mr. Dulles, they were allotted to Russia at Yalta. Mr. Dulles proposes to use the Japanese Peace Treaty to turn into law the gifts Mr. Roosevelt personally made of Japanese territory at Yalta.

Mr. President, Yalta has no force in law. It has no justification in foreign policy. It is contrary to all moral principles, all international honor. So we are quietly being seduced into turning Yalta into international law, and General MacArthur is suddenly moved out of Tokyo just before the bond is to be sealed.

Mr. President, Congress must now take over the task General MacArthur was forced to lay down. Congress must watch over the Japanese Peace Treaty and see that it does not become another sell-out to Russia.

I wish to introduce a joint resolution forbidding any agent of the United States Government or any other representative of the United States to the United Nations to sign any document validating and giving the force of international law to any clause in the Yalta agreement.

Mr. President, out of order, I ask unanimous consent to introduce the joint resolution, and I request that it be read and appropriately referred.

The PRESIDING OFFICER. The joint resolution will be read for the information of the Senate.

The joint resolution (S. J. Res. 67) was read, as follows:

Resolved, etc., That no officer of the United States or representative of the United States to the United Nations or to any other international organization, conference, or meeting shall sign any treaty, agreement, or other document which in any way validates or gives the force and effect of law to, or other-

wise binds the United States to observe, any clause or provision of the Yalta agreement.

The PRESIDING OFFICER. The joint resolution will be received and will be appropriately referred.

The joint resolution (S. J. Res. 67) to prohibit the signing by any officer or representative of the United States of any document giving the force of law to any provision of the Yalta agreement, introduced by Mr. JENNER, was read twice by its title, and referred to the Committee on Foreign Relations.

SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO

The Senate resumed the consideration of the bill (S. 984) to amend the Agricultural Act of 1949.

Mr. CHAVEZ. Mr. President, the State which I have in part the honor of representing was explored and settled by white Europeans in 1540, some 80 years before Plymouth Rock and some few years before Jamestown, Va., or St. Marys City, Md. Under the system prevailing from then until 1868, there was a form of peonage in my State. Even after Abraham Lincoln had done his share and after the American people had acted to the extent of killing their own brothers, fathers, and other relatives in the awful War Between the States, and had liberated the vast numbers of human beings who had been held in slavery, there was peonage in my State. Bear in mind, Mr. President, that the American flag was raised over the old palace of the Spanish governors, at Santa Fe, N. Mex., by General Kearny, of the Missouri troops, who started in 1846 from Independence, Mo., the State represented in part here in the Senate by my friend the junior Senator from Missouri [Mr. HENNINGSEN]. From that time until now it has been the purpose of the people of my State to be as proud as they can be of the noble past, under different governments, but prouder still of doing their share to contribute to carrying on the Anglo-Saxon ideal and the American concept of government as outlined in the Constitution of the United States.

In 1868, through legislation enacted by the Congress of the United States, New Mexico legalized peonage. I know whereof I speak. I still remember having seen in my grandmother's home old Navajo Indians who had been peons under that system. I desire to do everything I possibly can for the American farmer, to stabilize his industry and to stabilize his labor. But, Mr. President, the pending measure would bring back the things which Lincoln did away with, and would bring about peonage in my State and in certain other areas of the United States. I do not want that. That is my only reason for being opposed to the provisions contained in Senate bill 984, as reported to the Senate. It is not because I do not want the American farmer to get labor promptly when he needs it.

In times like these, about which the Senator from Ohio, the Senator from Connecticut, and other Senators who participated in the earlier debate, were speaking, when the country is confused both domestically and internationally, I,

for one, believe that it behooves us, especially those charged with legislative responsibilities, to recall and more than ever to ponder the oath of office which we took when we became Senators. From day to day we read statements in the press by members of the administration, by members of political parties, by members of other legislative or administrative bodies, and even of judicial bodies, pleading for economy, pleading for a return to our way of life, pleading for the protection of American interests and the doing of the things which will preserve our way of life.

Mr. President, I do not happen to be of Anglo-Saxon descent, but in my conscience I believe and accept every iota of the Declaration of Independence and of the Constitution of the United States. I know the philosophy of our political government. I know about Runnymede, and about King John. I know the Anglo-Saxon efforts to obtain liberty. I do not desire to lose any of the principles which are outlined in our Constitution and which pertain to our way of life. It is for that reason that I am opposed to the pending bill. In administering the oath of office of which I speak, the oath which I have taken upon four different occasions at the rostrum of this noble body, representing our ideals and our philosophies, the following question is asked:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter: So help you God?

Each time that question has been propounded to me, as I stood upon the rostrum of the Senate, I have said, with serious intent, "I do." With that oath in mind, I stand before the Senate today with a clear conscience, saying that in my opinion the passage of the pending bill, as reported to the Senate, would violate that oath. Therefore, I oppose it.

It is my purpose to use that oath of office, and certain of the remarks made yesterday by my good friend, the distinguished Senator from Louisiana [Mr. ELLENDER], in furthering the American way of life, and as my theme in opposing the Ellender bill as reported to the Senate.

It should be strictly understood that I want farm labor to be stabilized, not only for the benefit of labor but also for the benefit of the farmers who employ it. In my opinion the pending bill would operate to the benefit of neither. In the first place, the bill is a haphazard attempt to help the farmer, and, while it is perfectly true that under the pending bill, certain advantages will be gained by the farmers of certain sections of the country who will use some of the imported workers, the American farmers as a whole will be benefited not at all. The farm laborer will be helped in no way whatever.

In my opinion, the legislation proposed would be most detrimental. I should like

to invite the attention of my good friend from North Dakota, whose noble heart I know has beat for the things which Americans love, to the fact that in my opinion, the enactment of the proposed legislation would be detrimental to the best interests of the American people, because once we commence to use a type of labor which lives contrary to American standards and contrary to what we think is our way of living, business will be bound to suffer; and farming is a business.

How will any farmer in any State of the Union be better off with a class of laborers who actually come as beggars into the country to compete with men who demand a good breakfast and a good dinner? Farmers still call the noonday meal dinner; it is not luncheon. The farmer likes to send his children to school, and he likes to buy them a pair of shoes now and then. This is a serious question. The farmer himself would be bound to suffer. I never knew of a city or a hamlet in this country that prospered in representing the American way of life when starvation wages were paid to persons who did not understand our way of life.

Mr. President, I invite the attention of the Senate to one of our agreements with the Republic of Mexico. I wish to bring it to the attention of my good friend the Senator from Louisiana who, I am sure, as chairman of the committee, is acting, in an effort to carry out his responsibility, in the best of faith and with the highest degree of integrity. I should like to bring it to the attention of the Senator from Maine, also, before he leaves.

Several years ago the people of this country became concerned about the hoof-and-mouth disease below the border. There was reason for their concern. The people on this side of the border would have suffered intensely, both economically and otherwise, if that terrible disease had been left uncontrolled. But again, Congress, trying to protect the American way of life, made available millions of dollars. May I ask the Senator from Louisiana if he knows how many millions of dollars were made available for that purpose?

Mr. ELLENDER. As I recall, it was \$120,000,000.

Mr. CHAVEZ. That money was made available in order to control the hoof-and-mouth disease, which affects cattle. The taxpayers' dollars were used in an attempt to control that disease. I believe we acted with wisdom, and our friendly neighbor republic has cooperated 100 percent in order to eradicate and control that infectious disease. It was money well spent.

It is my considered opinion, having had first-hand information in dealing with the type of labor proposed to be imported under the terms of the bill, that the effects of the influx of the cheap labor on the social, economic, and political life of our people would be worse and more detrimental, and would do more damage, than could result from the hoof-and-mouth disease. Under this bill we are not dealing with an infected cow; we are dealing with what is sacred to

the American way of life. We are dealing with our social structure; we are dealing with our political structure, and for that reason I, for one, cannot in conscience support the bill.

The only effect to be accomplished by the bill would be to undo many of the constructive advances achieved by the great Lincoln, for example, many of the good results which came from the sacrifices of hundreds of thousands of lives in the First and Second World Wars, and the things for which American boys in Korea are dying. They would be destroyed by this piece of proposed legislation. Its only effect will be to sabotage the American way of thinking with reference to American labor. I may be wrong, but I try to be honest about it. My good friend the senior Senator from Georgia [Mr. GEORGE] knows that I am supposed to be one of the so-called liberals in this body who likes to feel that he is contributing something to what will be to the advantage of humanity. I, for one, used to think that the Department of Labor, the Department of Agriculture, and even the Department of State, were liberal, but I am disappointed with them because they have paid so little attention to the citizenship which those departments represent, and seem to be attempting to bring about a condition in the United States whereby peonage, which has not prevailed in my State since 1868, will again be brought into being.

A subcommittee of the Committee on Appropriations held hearings with reference to the Federal Security and the Department of Labor appropriation bill. We heard Mr. Goodwin, of the Employment Service, which is supposed to be established for the purpose of securing employment for American citizens. It is disgusting, Mr. President, notwithstanding the millions of dollars made available for that purpose, how little that agency knows about the availability of American citizens who want to work, even at hard labor, even at stooping jobs. I am disappointed with the Department of Labor in that particular respect. Of course, we can expect anything from the Department of State.

I know there are in the Southwestern States many fine citizens, including farmers, who sincerely believe that they will derive benefits if this bill is enacted. I fear it will be at the expense of human misery.

I want the Senator from New York, the Senator from Rhode Island, and the Senator from Wisconsin to hear this. Some few farmers will receive benefit, but it will be at the expense of human misery. It will be when peonage comes back. It will be when the American way of life is retarded from making progress.

Mr. President, I know the Mexican border. My folks have been living on the border for 400 years. I know how peonage works. I know what happens along the border. The bill will not help the wheat grower in the State of my good friend from Nebraska [Mr. WHERRY]. It will not help the wheat grower in the State of my good friend from North Dakota [Mr. LANGER]. It will not help the farmer in Ohio or in Maine. The bill will help only a small

section along the border, where for three Mexican cents a person can come to my State in 5 minutes. That is whom the bill will help. It will not help the American farmer. The farmers, and a few at that, who use the starving and needy people and cheap labor will get the advantage. In the long run that advantage will be dissipated by the disastrous effects of what comes afterward.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. CHAVEZ. I yield.

Mr. LANGER. In view of the fact that the distinguished Senator says he is disappointed with what the Department of Labor has done, in view of some of the other speeches I have heard made on the floor of the Senate by my great liberal friend from New Mexico, and in view of the praise he gave to Abraham Lincoln, why does he not move over to this side of the aisle and join the Republican Party, the party which has been the friend of the poor man, which has been against peonage, and which is the real party of progress?

Mr. CHAVEZ. I will answer the question by saying that I am glad the Senator from North Dakota has finally come back home. Let me invite the attention of the Senator from North Dakota to the fact that in the State of North Dakota there are many Indians, as there are elsewhere in the United States. I inquired from Mr. Goodwin, of the employment section of the Department of Labor, what he had done in the way of investigating whether that class of labor was available to the people who needed to be protected under the provisions of the bill. Not a thing had been done, Mr. President. Let me go further than that.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. CHAVEZ. Yes.

Mr. WHERRY. I am seeking information. The bill adds a new title to the Agricultural Act, does it not?

Mr. CHAVEZ. Yes.

Mr. WHERRY. Heretofore has there been any legislation of this character presented to the committee?

Mr. CHAVEZ. No. We have had some understandings between foreign governments and our country.

Mr. WHERRY. On a treaty basis?

Mr. CHAVEZ. Yes. This is the first time that one particular foreign country has been picked out. The sole reason for it is that there are needy people who would do the work. As a matter of fact, one Senator said yesterday that under the provisions of the bill more wages could be paid to an imported laborer than to an American who lived in the area and was available.

Mr. WHERRY. Mr. President, will the Senator yield for another question?

Mr. CHAVEZ. Yes.

Mr. WHERRY. I notice that as the bill was originally drawn it included:

Foreign countries within the Western Hemisphere (pursuant to arrangements between the United States and such countries) or from Hawaii or Puerto Rico.

That section is now confined to the Republic of Mexico.

Mr. CHAVEZ. Yes. I am not impugning the motive of the committee.

Mr. WHERRY. Why was the provision stricken? Why was the arrangement limited to Mexico?

Mr. CHAVEZ. I will answer the question. Knowing the border as I do, I believe it was stricken because the desire was to confine the bill to peons.

Mr. ELLENDER. Mr. President—

Mr. CHAVEZ. If it included other countries, such as Jamaica, the workers could complain. The workers would certainly go to His Majesty's consul and complain. The starving peons can be dealt with in another way. It was selfishness and greed somewhere.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CHAVEZ. Yes.

Mr. ELLENDER. Mr. President, in answer to the question propounded by my good friend from Nebraska, I will say that the reason why the proposed legislation is necessary is that the Republic of Mexico has refused to allow its citizens to enter into agreements with employers in this country of the kind that now prevail with workers from Jamaica, the Bahamas, and other countries. Without the enactment of the bill, we cannot obtain in a legal manner the Mexican labor we need.

Mr. WHERRY. Mr. President, will the Senator yield for another question?

Mr. CHAVEZ. Certainly.

Mr. WHERRY. We have heretofore taken in Mexican labor, have we not?

Mr. ELLENDER. It was done under an agreement. I pointed out previously that an agreement was entered into in 1948. It was renewed in 1949. The agreement will expire on June 30 of this year. Unless the bill is enacted into law, the officials of the Government of Mexico say they will not enter into any agreement with the United States Government for the importation of Mexican labor which continues the present terms and conditions.

Mr. CHAVEZ. I may say to my good friend from Nebraska that the point I am trying to make is that American labor is available. I shall prove it to the entire satisfaction of anyone who cares to listen. American labor is available. I made the statement a little while ago that if we could spend \$120,000,000 for the protection of American cattle from the hoof and mouth disease in old Mexico, it behooves us to protect American labor. We should protect Indians and our own citizens all over the country. I wish to submit some figures from the statistical departments of our Government, to show such is not being done.

Mr. ELLENDER and Mr. LANGER addressed the Chair.

Mr. CHAVEZ. I have no objection to Mexicans. I go out among them more than anyone else in the Senate, I believe. However, I still believe that the man in New Mexico, perhaps the father of a boy who died in Korea, should have an opportunity, if he wants it, to get at least some stoop labor.

Mr. LANGER and Mr. WHERRY addressed the Chair.

Mr. CHAVEZ. I yield first to the Senator from Nebraska.

Mr. WHERRY. I understand the position taken by the distinguished Senator from New Mexico relative to the sufficiency of American labor. I have been reading the reports of the hearings of the committee. We have contracts with other countries. We get labor from the Bahamas and from other countries without such legislation; do we not?

Mr. ELLENDER. That labor is obtained in accordance with present law, and that could be done in the case of Mexico if the Mexican Government would agree to continue the agreements which were entered into in 1948 and extended in 1949. However, the Mexican Government refuses to do so unless certain guaranties are made. Such guaranties are incorporated in the bill now being considered.

Mr. WHERRY. Prior to this time the Government had not come into the picture at all, so far as making any guaranties was concerned.

Mr. ELLENDER. That is correct.

Mr. WHERRY. Why is it necessary at this time? We do not do it with respect to other countries.

Mr. ELLENDER. Because the Mexican Government insists upon it.

Mr. WHERRY. What do they insist upon that has not been given them in prior contracts?

Mr. ELLENDER. What they insist on, first, is a guaranty by some agency of our Government that there will be full compliance with the contract between the employer and the worker, for example, in guaranteeing wages, guaranteeing transportation, subsistence, and so forth.

Mr. WHERRY. Have we ever experienced any trouble with such importations of labor from other countries?

Mr. ELLENDER. No; we have not.

Mr. WHERRY. For the life of me I cannot see why it is necessary to bring the Government into the picture.

Mr. ELLENDER. The main reason is the need to control the so-called wetback problem, with which I am sure the Senator is conversant. To my way of thinking, the proposed legislation would go a long way in solving the wetback problem.

I should like to ask my distinguished friend from New Mexico a question. Under the program now existing was not the number of Mexican workers requested for employment in New Mexico 17,636 and the number actually contracted for work there 12,978?

Mr. CHAVEZ. That is correct.

Mr. ELLENDER. I should like to ask my distinguished friend if the farmers of his State could plant and harvest their crops, and do everything concerned with them without this Mexican labor?

Mr. CHAVEZ. If the Senator from Louisiana thinks he puts me on the spot in that particular respect—

Mr. ELLENDER. I am not attempting to put the Senator on the spot at all.

Mr. CHAVEZ. I do not vote on the basis of expediency, I will say to the Senator from Louisiana. It is true that we have imported many workers. Not only is that true, but many who were here illegally, and who are known as wetbacks, were also employed.

Mr. ELLENDER. The bill would prohibit employment of wetbacks under this program.

Mr. CHAVEZ. But at the same time employers were hiring that class of people, either legally or illegally, an effort was being made to get the people of the eastern section of the United States excited because the Navajos in my State were starving. Many of the people of my State, who have been there for years, have relatives in every military camp throughout the world. The relatives of many citizens of New Mexico have died in Korea. Many of the citizens of my State are unemployed because foreign labor can be hired for from 70 to 80 cents a day. That is the reason, and the only reason.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. CHAVEZ. I yield.

Mr. LANGER. In the opinion of the Senator from New Mexico, what is it that Mexico is asking for which is not reasonable? Mexico wants her citizens to come to the United States and work, provided they are treated decently.

Mr. CHAVEZ. Yes.

Mr. LANGER. Provided they receive traveling expenses and sufficient wages so that they can live like decent human beings.

Mr. CHAVEZ. That is correct. Let me say to the Senator that I am for that. But notwithstanding that I am for all that, and notwithstanding the fact that I want to import laborers when we need them, still I say that if American labor is available it is our duty to see that our labor is employed. We have billions of dollars of expenses every year. What is wrong about a poor Indian from the Navajo Reservation, or a citizen of Oklahoma, or of any other State who needs work, having a priority? Of course, if labor were not available here, I would want to import it from Mexico, Jamaica, or elsewhere, but under the conditions outlined by the Senator from North Dakota.

Mr. LANGER. I am not a member of the committee, but, as I understand, Mexico refuses to enter into such an agreement unless there are certain guarantees.

Mr. CHAVEZ. The Senator is correct.

Mr. LANGER. In the opinion of the distinguished Senator from New Mexico, our Government ought to give those guarantees if the labor is to come in at all.

Mr. CHAVEZ. That is correct. If it comes in at all, I want those guarantees given. But before either Mexicans, Jamaicans, or laborers from any other foreign country are permitted to come in, we should protect American labor. We protect American cattle. I think it is not asking too much to ask that we protect American labor.

Mr. LANGER. The senior Senator from North Dakota thoroughly agrees with the Senator from New Mexico, and compliments him for putting up this fight.

Mr. CHAVEZ. There is one point to which I should like to call attention.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CHAVEZ. In a moment.

The point to which I wish to call attention is the question of available labor. The wheat grower in North Dakota should have labor to harvest his crops. The beet grower in Montana, Wyoming, Colorado, or Utah should have labor. I am for that. But what is the picture? I ask Senators to try to visualize the situation. I know that one Senator who follows the question very closely is the Senator from Montana [Mr. MURRAY].

Consider the millions of dollars we appropriated last year for unemployment compensation. The amount was \$172,000,000. Why did we do that? If no local labor is unemployed, why do we spend \$172,000,000 a year of the American taxpayers' money? That tells the story of itself. We spent \$172,000,000 for unemployment compensation. Yet it is said that labor is not available. Some employers do not try to obtain American labor. Neither the Department of Labor nor the Indian Bureau, nor the Department of Agriculture tries to get it; and that is my complaint. The Senator from Colorado [Mr. JOHNSON] has Indians in his State who need employment, and the same thing is true of Indians everywhere. Instead of feeling sorry for the poor Indian and trying to find employment for him, we appropriate money for unemployment compensation. During my short time in Congress I have seen the appropriations for the Indian Bureau go up from \$22,000,000 to \$56,000,000. Is it not better to give a poor Indian employment than to pay him unemployment compensation? He is human and patriotic.

Senators have seen the picture of the flag being raised at Iwo Jima. A little Indian boy was there. Why should not his father and his brother be able to obtain employment? They are willing to do stoop labor. At Grants and at Bluewater, where carrots are raised, the poor Navajos are doing stoop labor. They are earning money, but they are not held down to 70 or 80 cents a day.

Do Senators know what would happen under the provisions of this bill? Yesterday the Senator from Louisiana stated that a contract will be entered into between the employer and the Mexican laborers who can neither read nor write. They are hungry. They have probably worked most of their lives for 50 cents a day, Mexican. They are coming into competition with our American way of life, and will be dealing, for example, with a farmer who raises 3,000 bales of cotton a year for which he receives 45 cents a pound. One of the greatest characteristics of the American is his spirit of fair play. He likes to meet one at arm's length. But what chance would that poor Mexican laborer have with a ruthless and greedy employer? How could he attain to the American standard of living?

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. LEHMAN. I am very glad indeed that the distinguished Senator from Louisiana [Mr. ELLENDER] is in the Chamber. Does the Senator from New Mexico find anything in the pending bill

which gives assurance that prevailing rates of wages in the areas in which the work will be performed will be paid?

Mr. CHAVEZ. No.

Mr. LEHMAN. Does the Senator know of any way in which the laborers who come from Mexico or elsewhere can be protected in their right to receive wages at the prevailing rates?

Mr. CHAVEZ. If they come in, I want them to come under the conditions suggested by the Senator from New York. But that is not the point I am trying to make now. The point I am trying to make now is that we have millions of laborers in our own country who should be taken care of first.

Mr. LEHMAN. I fully agree with the distinguished Senator, but I am very much concerned about the fact that if lesser wages are paid inevitably that will bring about a breakdown in other wages.

Mr. CHAVEZ. Mr. President, I wish to read from a contract.

Mr. LEHMAN. I beg the Senator's pardon.

Mr. CHAVEZ. The contract is between a man named Bonifacio Ramirez Servin and the Fullerton Mutual Orange Association. Here we have the items. He was charged 10-percent deduction, \$3.25. Board, \$5.25. Board, \$10.50. Advance, \$10. He received a check for a total of \$3.50. It is wrong that such a thing should be done in America. I think it is indecent that the worker should be treated in that manner.

Mr. ELLENDER. Is that a Mexican contract?

Mr. CHAVEZ. Yes.

Mr. ELLENDER. Of what year?

Mr. CHAVEZ. June 12, 1948.

Mr. ELLENDER. That contract has since been changed. They are now operating under a new contract.

Mr. CHAVEZ. Yes; the next time he may receive \$3.75 instead of \$3.50.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. HUMPHREY. First I wish to say to the Senator from New York that I shall submit an amendment when amendments to the bill are being considered, which will include provision for employment at prevailing wages in the particular occupation and the particular area. Each of those are important points.

I should also like to point out to the Senator from New Mexico that what he is basically discussing, which is so important, is the over-all migratory farm-labor problem. The importation of Mexican labor is a facet of that problem. It is a part of it. It is a part which was discussed in the report of the President's Commission on Migratory Labor.

Mr. CHAVEZ. Yes; and I may say to the Senator from Minnesota that the chairman of the committee told us yesterday that that report had not been made available, nor did the committee consider it.

Mr. HUMPHREY. The committee action was taken before the report was made available.

Mr. CHAVEZ. Yes; but even after the report had been made the committee did not discuss it or consider it.

Mr. HUMPHREY. I should like to observe that what the Senator from New Mexico is pointing out, and very properly, is that insofar as the committee bill is concerned, under the terms of our agreement with the Mexican Government, in the contract certain guaranties will be made to the employees, which are a decided improvement over what they have had heretofore. I do not think anyone can deny that. The chairman of the Committee on Agriculture and Forestry has done a great service in that respect.

Mr. CHAVEZ. Yes; he has, and I think he ought to be commended for it.

Mr. HUMPHREY. But guaranties which are made in contracts made with Mexican laborers in terms of burial expenses, medical care, subsistence, and so forth, are not made to our own American migratory workers. In other words, it is entirely possible to have a surplus of labor in one area of the country and a demand for labor in another area. Yet under the provisions of the bill American migratory workers receive none of the treatment, none of the care provided under the terms of a contract with a Mexican worker. I do not think the bill is a bad bill. I commend the members of the committee for the diligent work they have done in connection with it.

Mr. CHAVEZ. It is an improvement over what has prevailed heretofore.

Mr. HUMPHREY. But as the Senator from New Mexico has pointed out, and as the President's Commission has pointed out, the first task is to make positively sure that every opportunity is given for employment to our own domestic supply of labor under proper working conditions and at an equitable rate of wages. The Indians such, for example, as the Navajos, or any other group, certainly should come within the provisions of any kind of a labor bill.

Mr. CHAVEZ. Yes. Let me refer to some other groups. Possibly some Senators may not agree with me, but I shall try to give the Senate factual information. In 1898 the gods of war landed Schley in Puerto Rico. We do not have to discuss the merits of that matter whatsoever. Puerto Rico is an island of 3,600 square miles, with a population of 2,500,000. I feel they are patriotic people. Notwithstanding their background, and with their history of association with America for only 50 short years, they want to be accepted as American citizens, and this Government took definite action when it passed the Jones law in 1918 and made them citizens.

A few short weeks ago I saw in the Washington Evening Star the picture of an amputee at Walter Reed Hospital. Two of his legs were gone. His right arm was gone. He was still smiling, however. He was a Puerto Rican. Can Senator of the United States under their oaths say that we do not owe a duty to that boy's mother? Some good people of Baltimore collected money so his mother could make the journey to visit her son in an American military hospital. Are the Puerto Ricans properly protected? Should we import labor when we have labor of that type available? I ask that question in all sincerity and justice.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. LEHMAN. I should like to draw the Senator's attention to the fact that I have submitted an amendment to this bill which would include the citizens of Puerto Rico and Hawaii, and I very much hope it will be adopted. But I have not received an answer yet with regard to any assurance that prevailing rates of wages will be paid. May I explain to the Senator my particular concern about that? It has been my experience that any breakdown of labor standards usually means that the standards of all the labor within the area sinks to the standards of the lowest paid.

Mr. CHAVEZ. That is the point I am raising.

Mr. LEHMAN. Therefore I believe it is extremely important to maintain and to be sure we are maintaining the prevailing rates of wages in any area in which these men will work.

Mr. ELLENDER. I call attention to the provision in section 501, on page 3 of the bill, which obligates the United States "to guarantee the performance by employers of provisions of such contracts relating to the payment of wages or the furnishing of transportation."

As a result of the discussion in Mexico City—and I have the proceedings before me, but I shall not go into detail with respect to them—it was agreed that any contract entered into should contain a guaranty that prevailing wages will be paid. Such a provision is included in the contracts which are now in force. It is an improvement over that contained in the contracts in force in 1948. Yesterday I read this clause from the contract into the Record:

4. Payment of wages.

This, as I said, is a provision in the contract which now exists, or that is in force, between the employers in this country and workers who come from Mexico:

The employer shall pay the worker the prevailing wage rate paid to domestic agricultural workers for similar work, and in the manner paid within the area of employment, or the rate specified on the last page of this contract, whichever is the greater.

Mr. CHAVEZ. That is correct. It would be well if in practice it would work in that way. But what is referred to as a prevailing wage is an historic prevailing wage.

Mr. ELLENDER. How can the Senator say that, when the language used in the contract is that—

The employer shall pay the worker the prevailing wage paid to domestic agricultural workers—

Not the wage paid to wetbacks, as the Senator indicates.

Mr. CHAVEZ. A domestic worker of necessity would have earned less and would receive less if cotton were selling for 14 cents a pound than if cotton was selling for 45 cents a pound, as it is now. That is the only difference. The language of this proposal is not "prevailing wage of the moment."

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. LEHMAN. In view of the fact that that clause is to be in the contract which is to be entered into between the workers and the employers, I wonder what objection there would be to including it in the bill.

Mr. ELLENDER. Mr. President, if the Senator will yield—

Mr. CHAVEZ. I yield.

Mr. ELLENDER. Among some of the objections to the inclusion in the bill of the clause to which the Senator from New York has referred is that the contract entered into between the Mexican worker and the employer might have to provide for a larger wage than the prevailing wage, in order to entice the Mexican worker to come into the United States to work and legislative action might be required to change the provisions of the contract in that respect.

Mr. CHAVEZ. Mr. President, I think the word "entice" is the correct word to be used in that connection.

Mr. ELLENDER. Certainly, when a worker has to travel miles and miles to a new place of employment, even though his travel expenses are paid, nevertheless he has other expenses which reduce his take-home pay.

Mr. CHAVEZ. Mr. President, all that the poor slave on the Mexican side of the border has to do to get into my State is to get three Mexican centavos and contribute them to Stone & Webster, at the bridge, and then he gets across the line.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. LEHMAN. I wonder whether the Senator from Louisiana fears that a limitation such as the one I have suggested would, if included in the bill, prevent the use of additional persuasion to get the Mexicans to enter our country; and I wonder whether the Senator would have any objection to including in the bill the words "at least equal to the prevailing rates of wages." That would care for this point.

Mr. ELLENDER. Mr. President, as I have just pointed out, under the bill our Government will guarantee to the Mexican worker the payment of his transportation as well as the payment of the wages agreed to in the contract. It goes without saying that it would be desirable to have the exact amount fixed in the contract should the question arise as to what is the amount due.

Mr. LEHMAN. Mr. President, will the Senator yield further?

Mr. CHAVEZ. I yield.

Mr. LEHMAN. Would not the powers of enforcement be strengthened by writing that provision directly into the law?

Mr. ELLENDER. I do not believe so. Some workers may require the payment to them of an amount greater than the prevailing wage. By having the arrangement for the exact wage set forth in the contract itself, it will be an easy matter to determine what the obligation is in the way of payment of wages, if and when the Government of the United States or any agency of the Government has to carry out its guaranty that such wages will be paid.

Mr. HUMPHREY. Mr. President, will the Senator yield at this point?

Mr. CHAVEZ. First, Mr. President, let me say that what makes me doubtful about the satisfactory working of the proposed legislation is that in one breath the chairman of the committee tells the Senator from New York about prevailing wages, but in the next breath the chairman of the committee says there might be cases calling for the payment of specific amounts. In my opinion, Mr. President, this bill, if enacted, will result in the payment of specific amounts, and nothing more—in other words, the effort will be to get the workers at the cheapest possible rate or for the smallest possible amount.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. HUMPHREY. I think we can clear up this point. I recognize that in referring to the contracts, the Senator from Louisiana has pointed out a very significant improvement over the situation of some years ago in our relationships with Mexican labor. In other words, at the present time the idea is that those workers will be paid the prevailing wages, and a provision to that effect is proposed to be included in the contract of employment. It appears to me that it would be an improvement if we included in this proposed legislation a clause to the effect that the Mexican labor transported to the United States for purposes of agricultural employment shall be paid not less than the prevailing wages in the particular area, because, of course, there are area differentials.

Mr. CHAVEZ. Does not the Senator mean that the provision should be that those workers should be paid the present prevailing wage?

Mr. HUMPHREY. Yes; I propose that provision be made for the payment of "not less than the present or current prevailing wages"—recognizing the area differentials I wish to emphasize that point.

Mr. CHAVEZ. That is correct; there are those differences.

Mr. LEHMAN. Would not it be preferable to use the words "current prevailing wages"?

Mr. ELLENDER. Mr. President, if the Senator will yield—

Mr. CHAVEZ. I yield.

Mr. ELLENDER. Let me say that the result of including the provision just suggested would be to fix minimum wages for agricultural labor, although the Senator knows that Congress has refused to do so on many occasions.

Mr. HUMPHREY. Mr. President, this matter does not involve having the Congress fix minimum wages, because the current wage scale would be determined by the law of supply and demand in the particular community.

Mr. CHAVEZ. Yes in the local area which was concerned.

Mr. HUMPHREY. Yes in the local area. I am not proposing that we make a national edict that the wage shall be 75 cents an hour everywhere in the country, because, of course, the wage in the sugar-beet areas may be different from the wage in the cotton areas, and so

forth. However, it seems to me that the wage paid should be related to the wage scale in the particular area concerned.

I seek the friendly cooperation of the chairman of the committee on this particular point, because I think the provision to which I have referred should be included in the bill.

Mr. ELLENDER. Mr. President, will the Senator yield further?

Mr. CHAVEZ. I yield.

Mr. ELLENDER. As I have pointed out, and as the Senator has indicated, the wage rates in different areas are not the same.

Mr. HUMPHREY. That is correct.

Mr. ELLENDER. I think it would be proper to let each contract stand on its own provisions, and not require by law an interpretation by a department of Government as to what the prevailing wage is in a potential area. Doubtless when a contract is entered into between a group of workers and a group of employers, they can provide in the contract that the wage shall be a certain amount.

Mr. HUMPHREY. But should not we provide that the wage shall not be less than the current wage for such employment in that area?

Mr. ELLENDER. But then we would be establishing a minimum wage for foreign agricultural labor by law, and, as the Senator knows, the Congress has never been willing to establish a minimum wage for our own United States agricultural labor.

Mr. HUMPHREY. No; we would then be establishing equity, by placing a plateau under the wages.

Mr. CHAVEZ. Mr. President, yesterday one of the Senators who favored this measure informed the Senate—and it is in the Record—that in many instances some of the foreign laborers would be paid more than the domestic laborers would be paid.

Let me say that heretofore I have introduced a bill by which I intended to cover the matter to which the Senator from New York and the Senator from Minnesota have been referring. It was Senate bill 949, and it received some consideration in the committee. I included in that bill the following provision with respect to prevailing wages:

The Secretary of Labor shall authorize the placement of workers recruited or transported under this act, whether United States citizens or aliens, only after the employer agrees with respect to such workers to pay not less than prevailing wage rates for the crop and area.

The purpose of that provision was to take care of the differential. That is the way I intended to have this problem taken care of in the measure which I introduced, and which was referred to the committee, but received only scant attention.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. HUMPHREY. I did not attend all the hearings, although I did take time to read all the printed hearings. I recall that during the discussion of the bill, most of us who were thinking about the bill were thinking in terms of the current wage rates for the particular

area and the particular season. Of course there are all kinds of variations in that respect.

Mr. CHAVEZ. There is no question about that.

Mr. HUMPHREY. I think the contracts to which the Senator from Louisiana has been referring make note of those variations.

Mr. CHAVEZ. Yes.

Mr. HUMPHREY. I should simply like to see incorporated in the proposed legislation that kind of protective language.

Mr. CHAVEZ. I think that would improve the bill. There are two ways of handling this matter. I now have pending to this bill some amendments which I think would improve it, and I intend to discuss them in the Senate.

Everyone agrees that there should be legislation, but, to my way of thinking, there is a basic change which would improve the bill, namely, an amendment to compel Government agencies to inform farmers as to available domestic labor. If it is then necessary for them to employ foreign labor, well and good; I should be for it. I am not in favor of that, however, until every effort has been made to give employment to domestic labor; but, if it becomes necessary to use foreign labor, I am for it.

We would then come to the proposition of paying such labor at least the wages prevalent in the particular area of employment, in order to uphold the wage differentials prevalent in different sections of the country. Laborers in California working in the asparagus fields might receive a somewhat different wage, as a regular thing, from that received by the man who is picking pears, or digging potatoes in Idaho, or picking cotton in the South. They would receive rates different from those paid the man who is working in the beet fields of Colorado or Nebraska. I think that is fair, and I believe it would improve the bill.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. LEHMAN. When the Senator used the words "available domestic labor," I assume that he includes citizens of Puerto Rico. Is that correct?

Mr. CHAVEZ. When I referred to available domestic labor, I had in mind American citizens.

Mr. LEHMAN. I have the same thing in mind. I did not want it confined to continental America.

Mr. CHAVEZ. No, nor did I. If domestic labor is not available, well and good. However, if the domestic laborers cannot pick oranges, I do not want them. If they can, believe me, Mr. President, I would prefer them as against His Majesty's subjects in Jamaica.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. HUMPHREY. The Senator understands, of course, that we have before us a particular bill, directed toward a particular group of workers. I happen to be a member of the Senate Committee on Labor and Public Welfare, and a very new member of the Senate Committee on Agriculture and Forestry.

But I know that the Subcommittee on Labor and Labor Management, of which I am chairman, is now making a study, a preliminary study, and we intend to go into a much more extensive study of domestic migratory labor.

Mr. CHAVEZ. I shall have something to say on that in a few moments.

Mr. HUMPHREY. What I am trying to suggest is that we have a particular bill before us, and it is my desire to improve this bill as much as possible. I wish to point out that it is a decided improvement upon anything we have had.

Mr. CHAVEZ. I agree.

Mr. HUMPHREY. I am glad to know that the chairman agrees with me in the view that it is a decided improvement. I have a feeling that we might write into the bill certain protections and extensions of the improvement which would make it equitable to the domestic labor, and not make it inequitable to the domestic labor by including in the bill the standard of Mexican labor. I want to make the differentiation. We have two subjects here, namely, domestic migratory labor and foreign labor. What we are directing our attention to in this bill is foreign labor, and it appears to me that it is our responsibility to write protections into the bill, so that the group of Mexican laborers will be given, first of all, all proper care, subsistence, medical attention, and transportation—everything that they should get as God's good children—and at the same time see to it that our own domestic labor supply is not discriminated against.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. CHAVEZ. If I may proceed further, I think I shall conclude presently.

Mr. President, there are in my State many fine, sincere, law-abiding citizens who favor this bill; and I know that they mean what they say about it. I have been receiving telegrams from some of them, and I feel that they think it is a good bill. I have received telegrams from some friends of mine, both personal and political, who favor the passage of the bill in its present form. At this point I wish to insert in the RECORD some of those telegrams from my State, supporting the Ellender bill in its present form, without amendment. I know many of the signers of the telegrams, many of whom are my personal friends.

For instance, I have a telegram from my good friend, "Jim" W. Berry, of Artesia, N. Mex., which reads as follows:

In interest of farmers of New Mexico, we desire Senate bill 984 passed without any amendments attached. We do not have adequate labor to harvest our crops. With personal regards. Would appreciate your reply.

He is my pal. He is my friend. I think he is wrong, completely wrong, in his conclusions. He is a fine businessman. He has made a great success in the production of raw petroleum and oil. Then, about 10 or 12 years ago, he went into farming in a big way, and he has been most successful. He is a banker. I would not do one thing in the world which I thought would be detrimental to the interests of Jim Berry's

farm. But I feel that I understand the situation, and that I know what should be done. Jim Berry would suffer, in my opinion, if the proposed legislation were enacted. He is in favor of the pending bill. I have no doubt as to the sincerity of his purpose, I could not question his motives, but I assure my friend Jim Berry that if this bill is enacted, it will not stabilize our farm labor in the Artesia area, for the reason that the bill provides that it shall be effective only until 1952. That is significant, it tells the story. How is it possible to stabilize labor in the beet fields in one season? How is it possible to stabilize labor in the wheatfields, or in the cornfields, in one season? How can it be done in the case of cotton? True, it will afford temporary advantage during the present season, but it will be for the present season only.

Is that what is desired? Is that the way to help the farmer? How are we to stabilize farm labor through a measure which provides for farm labor for 1 year only? I desire to help the farmer, whether the labor be domestic or foreign. It should be stabilized. But enactment of the pending bill would be of assistance in only one particular area. It would not help the grower of cotton or tobacco in Georgia. It would help those who could cross the border, either the so-called wetbacks or those who might be able to pay three Mexican pennies in order to cross the border. It would not help the potato grower in Maine or Idaho. It would not help the bean grower in the Peninsula of Michigan. In fact, it would help but very few States of the Union. I desire to help the farmers, but I want to help them through the enactment of sound legislation, which will be fair to the farmer, fair to the laborer, and fair to all the American people. I do not want to write a bill in such a way as to subsidize the farmer to the detriment of the consumer.

Mr. President, let me refer to another situation, more or less like that involving the hoof-and-mouth disease. What Senator from any State would now have the Government enter into an agreement with Argentina, irrespective of its political implications, for the importation of corned beef, which would supply the American consumer with beef at a reduced cost? What Senator or what Member of the House would favor that? But we think nothing of importing cheap labor.

That is the point, I believe, which the Senator from Minnesota had in mind, because it is only common sense that if we import Argentine beef, which is very good, at a cheaper price than that for which the American producer can produce beef, the American consumer will have cheaper steaks and roasts. Even liver is \$1.85 a pound now. We could possibly get it from Argentina for 14 or 18 cents. We will permit the American housewife to pay \$1.85 a pound for liver, but it is proposed to import cheap labor that will compete with her husband in producing American commodities.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. HUMPHREY. For the RECORD I think it would be well to document what the Senator from New Mexico has said about the limits to which labor will be made available and the areas it will serve, and to recite some of the figures. I have here a tabulation from January 1 to December 31, 1950, with reference to the use of foreign labor in agriculture in the United States. The tabulation will be found on page 106 of the committee hearings. I speak only of Mexican labor to which the bill applies.

Arizona received 1,781; Arkansas, 9,527; California, 7,889; Colorado, 812; Idaho, 187.

Kansas asked for 267 but received none.

Kentucky requested 75 but received 74. Louisiana received 903.

Minnesota requested 35 and received none.

Mississippi received 1,844; Missouri, 929; Montana, 516; Nebraska, 60; New Mexico, 12,978; South Dakota, 175; Texas, 29,105; Utah, none; Washington, none; Wyoming, 641.

Mr. CHAVEZ. New Mexico's figures do not include the many wetbacks who were there illegally.

Mr. HUMPHREY. Those included are the legal entrants.

Mr. CHAVEZ. At the same time some citizens of my State had to leave the State in order to eke out an existence. Is that what the Senate of the United States wants?

Mr. HUMPHREY. That is the point the Senator from Minnesota wanted to have brought out. I think a fair and legitimate question to ask is whether in Idaho they could not have recruited 187 domestic workers. That is the number of Mexican workers they received. I would ask if Kentucky could not have recruited 74 domestic workers, or whether Montana could not have recruited 516 domestic workers, or if Nebraska could not have recruited 60 domestic workers.

Mr. CHAVEZ. What about the State of Colorado?

Mr. HUMPHREY. There were 812 Mexican workers in the State of Colorado.

Mr. CHAVEZ. I could go to one county and get that many workers.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. ELLENDER. The fact that the State of New Mexico had 12,987 Mexican workers is not indicative of the number of Mexicans who were in the State. There were thousands of wetbacks. That is the reason why many of the citizens, as the Senator pointed out, had to go somewhere else to obtain work. This bill would help prevent such a situation.

Mr. CHAVEZ. The Senator would be surprised to know how well aware I am of the citizens of the State who prefer to get wetbacks rather than to pay men decent wages.

Mr. ELLENDER. As I pointed out, this bill, if enacted, will prohibit the employment of wetbacks under this program.

Mr. CHAVEZ. Would the Senator prefer aliens legally entered, or wetbacks

who come in illegally, to citizens of the United States who might want to work?

Mr. ELLENDER. Let me say to the distinguished Senator that under section 503 of the bill, as I pointed out yesterday, the Administrator is charged with seeing to it that no workers recruited under this title shall be available for employment in any area unless the director of State employment security—

Mr. CHAVEZ. And there is an amendment to put it on a national basis.

Mr. ELLENDER. Let me read from section 503:

Sec. 503. No workers recruited under this title shall be available for employment in any area unless the director of State employment security for such area has determined and certified that (1) sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed, and (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed.

Mr. CHAVEZ. At that particular point, why does not the Senator agree to the amendment suggested by the Senator from Minnesota [Mr. HUMPHREY]?

Mr. ELLENDER. We have not yet reached that point. I expect to consider each amendment on its merits.

Mr. CHAVEZ. I refer to the amendment with reference to prevailing wages in the particular area in which a man is employed.

Mr. ELLENDER. The Senator knows that efforts have been made in the past to fix minimum wages for agricultural workers. It has never been accomplished on the Senate floor.

Mr. CHAVEZ. That is what I have in mind. If we cannot do it for the American citizen, I can imagine what will happen to one who has not even a vote.

Mr. ELLENDER. The Senator would want to do it for foreign workers.

Mr. CHAVEZ. We want to do it for every American citizen.

Mr. HUMPHREY. Mr. President—
Mr. WHERRY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield, first, to the Senator from Minnesota.

Mr. HUMPHREY. The Senator from Minnesota has an amendment applying to the whole problem of the wetbacks and use of employees. In fact, I have two amendments, one of which is to tighten up what I consider to be the meaning of the bill, and the second one is to permit reasonable entry and inspection of the places of employment of such workers by officers of the Immigration and Naturalization Service, for the purpose of enabling such officers to ascertain whether any of the workers employed are illegally in the United States. It might not be a bad idea, on the basis of security, to adopt this amendment. I really think it is very important to have immigration and naturalization officers inspect the places of employment or recruitment, so that there may be no influx into the United

States of persons who may violate our security regulations.

Mr. CHAVEZ. I have an amendment on that point.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield to the Senator from New York.

Mr. LEHMAN. We have been hearing that more imported labor is required, and it may very well be that that is a fact. But there is one thing which rather puzzles me. It is contained in the minority views on the bill, and it reads as follows:

From 1945 through 1948, we employed a continuously larger hired labor force even through our work requirement (total man-hours) was gradually declining.

Then a table is given for 1946 to 1949, inclusive, showing the days of farm work for each farm worker. It is on a steadily declining basis. In 1946 it was 113 days; in 1949 it was down to 90 working days.

In the face of these figures and the report of the committee, I wondered if any explanation could be given, as to why a large number of workers from Mexico is so urgently required at this time.

Mr. CHAVEZ. Let me emphasize that a little further. A recent study of the Joint Congressional Committee on the Economic Report, which is prepared and issued under the supervision of a subcommittee, the chairman of which was the able Senator from Alabama [Mr. SPARKMAN], declared, along the line suggested by the Senator from New York, that underemployment among the marginal farmers is depriving the Nation of the equivalent of more than 2,500,000 workers. That is the reason why the Senator from New Mexico is concerned. That statement was made by the Senator from Alabama, than whom there is no better Senator when it comes to the soundness of his judgment and conclusions. I wish Senators would consider the statement that underemployment among marginal farmers is depriving the Nation of the equivalent of more than 2,500,000 workers.

The study further pointed out that there were a million and a half rural nonfarm worker families with incomes of \$2,000 or less in 1948. Full employment of the workers in the families would add approximately 900,000 workers to the effective labor force. The 2,500,000 underemployed farmers are American citizens who are paying taxes when they work. There cannot be any deductions taken by the Government from workers imported from Jamaica or Mexico. From the small wages they make Uncle Sam can take \$3 on Saturday night. Is that good business?

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. CHAVEZ. Yes.

Mr. WHERRY. I am interested in the term "wetback." I suppose it means a Mexican who comes into the country illegally.

Mr. CHAVEZ. Yes.

Mr. WHERRY. How are we going to prevent his coming into the country under the terms of the pending bill?

Mr. CHAVEZ. The bill would not prevent it.

Mr. WHERRY. Would it stop him from swimming across the Rio Grande if we passed the bill?

Mr. CHAVEZ. No. There is no provision in the bill under which it would be possible to punish greed. There is a good deal of greed involved. We cannot prevent a man from making a living and a profit out of human misery. Nothing in the bill would punish that type of person for employing a so-called wetback or an illegal entrant. I will tell the Senator that it has happened in my presence. People who are supposed to be outstanding citizens in their communities have told me that they have the least trouble with a wetback. Certainly they do not have as much trouble with him as with a contract worker. They can take care of a wetback. If he complains or rebels or gripes, he is reported to the Immigration Bureau. He is at a disadvantage. There is nothing whatever in the bill which would prevent the dishonest, or the type of person who has been investigated by the Kefauver committee, from doing such a thing. There is nothing in the bill which would punish that type of person.

Mr. ELLENDER. The Senator will concede, will he not, that unless a Mexican national entered this country legally he could not be employed under this program?

Mr. CHAVEZ. That is under contract. He could be employed, however.

Mr. ELLENDER. The Senator concedes, also, does he not, that the proposed legislation does not attempt to treat every phase of the wetback problem?

Mr. CHAVEZ. I think it should.

Mr. ELLENDER. How?

Mr. WHERRY. That is what I should like to know.

Mr. ELLENDER. I should like to know that, too. It would involve legislation that should be considered by the Judiciary Committee of this body.

Mr. WHERRY. I understood the Senator to say that under the proposed legislation a wetback would be eliminated.

Mr. ELLENDER. From entering into contracts.

Mr. CHAVEZ. From entering into contracts.

Mr. WHERRY. Would the provisions of the bill prevent a farmer from employing a wetback?

Mr. CHAVEZ. No.

Mr. WHERRY. What would be the penalty if he did?

Mr. CHAVEZ. The penalty is the undermining of the American system.

Mr. WHERRY. How would the enactment of the bill help the situation?

Mr. ELLENDER. Under the law as it stands wetbacks who are in this country—

Mr. WHERRY. Illegally.

Mr. ELLENDER. Yes; illegally—may keep on working and may be contracted with.

Mr. WHERRY. Certainly.

Mr. ELLENDER. Last year our Immigration Service accosted more than

500,000 wetbacks and returned them to Mexico. As I indicated yesterday, I have a bill before the Committee on the Judiciary which would make it an offense for an employer—

Mr. CHAVEZ. Such a provision should be a part of the pending bill.

Mr. ELLENDER. The subject is not under the jurisdiction of the Agricultural Committee. It should be considered by the Committee on the Judiciary. It is my hope that the bill I introduced will be voted on by the Judiciary Committee at an early date.

Mr. CHAVEZ. Why cannot we include such a provision in the pending bill?

Mr. ELLENDER. For the reason that it would encroach upon the prerogatives of another committee. On the other hand the Committee on Agriculture held no hearings on the question.

Mr. WHERRY. I am seeking information. I understood very distinctly that by the provisions of the bill we do not eliminate illegal entrance into the United States, and that regardless of whether we passed the bill we would still be confronted with the same problem.

Mr. ELLENDER. There are laws on the statute books now which prevent a Mexican from coming in. Yet it seems impossible to stop them from coming in.

Mr. CHAVEZ. Along the lines suggested by the Senator from Nebraska, the Senator from Louisiana [Mr. ELLENDER] made the following statement yesterday:

I wish to state that in order to further assist in connection with the wetback problem, and in conformity with the promise which I made to many members of the Mexican delegation, that I would sponsor a bill to make it a punishable offense for an American employer knowingly to employ an alien illegally in this country.

He further said:

The way to deal with the wetback problem is to impose certain restrictions on the employment by corporations or individual employers in this country of aliens illegally in the country, when they hire men whom they know to be illegally in the country.

Mr. WHERRY. That is exactly the answer I have been seeking. Under the proposed legislation there is no provision which would handle the question of wetbacks in any other way than the way in which it is being handled now.

Mr. ELLENDER. Except that it would be illegal to contract them.

Mr. WHERRY. But there is no penalty involved.

Mr. CHAVEZ. I may say that it is illegal to gamble or to commit murder.

Mr. ELLENDER. Murders are committed every day, even though it is illegal, and in most States punishable by death.

Mr. WHERRY. And we are against sin.

Mr. CHAVEZ. We are all against sin.

Mr. WHERRY. That is correct. The point is that if the bill were enacted into law, we would not help the wetback situation at all.

Mr. CHAVEZ. Not a bit.

Mr. WHERRY. I am not saying how I shall vote on the bill.

Mr. CHAVEZ. In a small way we would legalize the wetback situation.

As I proceed further, I shall give the whole picture of the wetback problem and how it is undermining the vitals of American institutions. Nothing is being done about it, either in the pending bill or by Government agencies.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CHAVEZ. Yes.

Mr. HUMPHREY. I wish to invite the attention of the Senator from Nebraska to the fact that an amendment will be offered which, to some extent, will rectify the situation. Certainly it will lend a little help in the solution of the problem. The amendment would permit reasonable entry and inspection of the places of employment of such workers by the officers of the Immigration and Naturalization Service, for the purpose of enabling such officers to ascertain whether any of the workers employed are illegally in the United States. It could go beyond contracts. There are many employment centers on our side of the border and the immigration officers could have constant supervision over the employment centers, to see that wetbacks are not employed.

Mr. WHERRY. Cannot that be done now?

Mr. HUMPHREY. Only at the border. Under the amendment, immigration officers could inspect employment centers all over the country.

Mr. CHAVEZ. Mr. President, I intend to proceed a little further. As I previously stated, I know the people of my State. I know that they want stabilized labor of every type and kind. That is the type of request which should have been brought before the committee. But no; the proponents of this legislation wanted a bill which would take care of the growing season of 1951 only, and the gathering of the crop.

I have received a telegram from a personal friend of mine, Verner Clayton, of Alamogordo, N. Mex.—

Mr. WHERRY. Mr. President, will the Senator yield before he goes into that subject?

Mr. CHAVEZ. I yield to the Senator from Nebraska.

Mr. WHERRY. If the bill is enacted, will Nebraska have an opportunity to get any more sheep herders than we are now getting?

Mr. CHAVEZ. No.

Mr. WHERRY. The bill would not be of any benefit to us in that respect, would it?

Mr. CHAVEZ. The bill is for the benefit of the wetback who crosses the Mexican border.

Mr. ELLENDER. Nebraskans could contract for Mexican labor.

Mr. WHERRY. If the bill were enacted, would it enable us to get any more sheep herders? We need sheep herders in Nebraska. Would we be enabled to get any more if the bill were passed than we are getting now?

Mr. ELLENDER. They could be obtained.

Mr. WHERRY. Oh, yes. We could get more than we are getting now if we could get them.

Mr. CHAVEZ. Mr. President, this again emphasizes the point which I have been trying to make all afternoon. The Senator from Nebraska speaks about sheep. I want to talk about sheep. I wish the Senator from Nebraska would lend me his ear.

Mr. WHERRY. I have just seen the figures as to how many we got last year. It was practically nothing.

Mr. CHAVEZ. About a year ago a young professor from the University of Oklahoma and a professor from the University of South Dakota had quite an idea. Up to the moment, and throughout the lifetime of the country, the cowboy has been a hero; and I do not think it is a bad idea, either. Nevertheless, those two men decided that something should be published about sheep, and the history of sheep raising in continental United States. So they commenced to investigate, from the time of the coming of Coronado to what is now New Mexico in continental United States, in 1540, when the first sheep came here. They covered the bringing of sheep from Scotland and England into Maine, and the migration through the pass into Kentucky and the Northwest Territory. With the history of that industry as a background, they wrote a beautiful book entitled "Shepherds' Empire." It is a documentary book, containing factual information on the history of sheep in continental United States. It tells about the driving of sheep from the State of the Senator from Colorado and from my State to feed the hungry gold miners in California during the gold rush. Sheep were driven from New Mexico and Colorado to feed the people of Sacramento.

The Senator from Nebraska does not need this bill to get all the sheepherders he needs. I can find them in my State, among men who may have sons in Korea, or may have sons buried in the cemetery at Hamm, in Luxemburg, or at Anzio. The Senator does not need this bill. One of the objections I have to it is that we already have that class of labor. Sheep have been herded in my State since 1540. I can provide the Senator all the sheepherders he needs, but he will have to pay them well.

Mr. WHERRY. In Nebraska we always pay our help very well.

Mr. CHAVEZ. I know that is true.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. HUMPHREY. Would not the Senator say that the only way to stop the wetback problem is by dredging and deepening the channel of the Rio Grande?

Mr. CHAVEZ. I have been trying to get a little money—

Mr. HUMPHREY. This is no suggestion for a further project. We want economy. However, it appears that we are not going to stop the wetback problem by any number of amendments.

Mr. WHERRY. What is it going to cost the United States if we pass this bill?

Mr. CHAVEZ. If the Senator will be patient with me, I wish to proceed. I wish to tell him about the wetback.

A wetback is called a wetback because he crosses the Rio Grande from the Mexican side to the American side by walking.

Mr. WHERRY. I thought perhaps he swam.

Mr. CHAVEZ. As a matter of fact, he really does not wet his back. At times there is not enough water in that river to wet his feet. But inasmuch as he crosses the river in that manner, he is referred to as a wetback.

After they cross the Rio Grande they scatter all over, by the millions, creating problems in Texas, in my State, in Arizona, and in California. They even go to Trinidad, Walsenburg, and Denver, in the State of my friend from Colorado [Mr. JOHNSON]. It is a social problem. It is an economic problem. It is an American problem, and we ought to do something about it, and not feel that the only way we can cure it is by having the Mexican labor work for a very few farmers within continental United States.

Let me say further that if the Senator from Nebraska will be kind enough to remain a little longer, I shall repeat what the archbishop of the Catholic Church at San Antonio, Tex., in the midst of the problem, has to say as to how it affects us. I intend to quote from church authorities who do not belong to the same church as does the good archbishop of San Antonio. I shall quote from the dean of the Law School of the University of North Carolina on this subject. At this time I wish to proceed with the telegrams from my good constituents. It would have been easy for me to have kept quiet. Some of these persons are going to be angry. However, I do not vote on the basis of expediency, political or otherwise. I believe that this bill is un-American, unfair, and prejudicial. It would be disastrous to American labor. It would be disastrous to American institutions. It would be disastrous to every concept that we hold dear.

I invite the attention of Senators to a telegram from another friend of mine, Bob James, of Malaga. It is to the same effect as the telegram from Mr. Berry. I know him personally. He is a fine person.

I am one of those who believe that as a whole the American people are honest. I do not believe that everyone is bad. We have some bad ones now and then, but they are in the great minority. I know that there are millions of honest people in this country, but none more so than Bob James, of Malaga, N. Mex. He sends me a telegram urging me to vote for the Ellender bill. The telegram reads as follows:

DEAR SENATOR: Sincerely request your support—

And I know that he sincerely requests it—

of original Ellender bill without any amendments. It is practical to use Mexican nationals to harvest our crops the season of 1951. Believing that you will rely on information of your constituents as to labor bills, thanking you for your support.

Your friend,

BOB JAMES.

I know that it is practical to use Mexican labor to harvest our crops. I know also that it is practical to use American citizens to harvest the same crops.

Bob James is a grand person. I wish I could in good conscience comply with his request. He has been my friend when others have gone back on me in my little troubles. Bob James and his family would go all over the prairie to try to help DENNIS CHAVER.

I also invite attention to a telegram from Delmar Roberts, president of the New Mexico Farm and Livestock Bureau. He is a representative of the association which is composed of farmers in my State. He had heard that I had supported some amendments which, as he understood, would emasculate the provisions of this bill. I read his telegram:

Farmers and ranchers in New Mexico—

I think he saw three of them—

vitaly interested in passage without amendments of Ellender and Poage labor bills for providing Mexican nationals for farm labor. Am advised you have introduced amendments which will emasculate the provisions of this legislation. Urgently request you reconsider these amendments and push passage as bills are now written. These bills represent many months of work by producers who foot the bill, cast the votes, and carry the load of getting production, and therefore are entitled to your cooperation. Our entire organization of 6,000 members strongly behind this legislation, which is of vital interest in view of huge cotton acreage planted as requested by our defense officials.

That is signed by Mr. Roberts. I know Mr. Roberts. I know the organization he represents. I know their potentials economically and even politically. But I am still voting in accordance with my oath of office.

I assure the Senate and Mr. Roberts and those whom he represents that with me it is not a question of emasculating anything. With me it is a question of protecting American labor first, of protecting the fathers and the sons and the brothers of those who are dying on foreign battlefields first, of protecting American citizens first, and when I say American citizens I include the Indian population of the United States.

Practically every winter the eastern newspapers and other newspapers of the Nation and the magazines are filled with the stories of the mistreatment of the Indians and their suffering because of their economic disadvantages. Yet they are buried in every American military cemetery, and they help raise the American flag on battlefields. Listen to the telegrams of protests from members of associations in my State and elsewhere, but I say to the Senate in all seriousness, I want to protect the American laborer first. After that labor is protected, after American industry is protected, if we have no more American labor available, then and then only will I support legislation importing foreign labor, be it from the country dealt with in this bill or the lands of His Majesty's subjects throughout the Caribbean or elsewhere.

I want to call attention to what I mean by dying on foreign battlefields. I know that my friend, Mr. Roberts,

president of the New Mexico Farm and Livestock Bureau, will understand. A young man, the son of good friends of mine, from Mr. Roberts' home city of Las Cruces, N. Mex., was reported missing in action in the Korean War. The conflict in Korea is war, and we cannot call it anything else. He was reported missing some weeks ago. He was the son of one of the outstanding families of that fine community. Is he missing in action in vain? We all pray and hope that he may be alive and return to his mother in due time, but contemplate for the moment that he is missing in action in Korea. With all the fervor of my heart I want this to sink in. He is missing in action. He was doing what? He was doing his duty and making an effort to protect the oath of office we all took, and what it represents. He was doing his duty making an effort to protect American ideals, American traditions, the American way of life, the Declaration of Independence, and what it stands for, the Constitution of the United States, and what it stands for. That is why that boy is missing in action, and that is why, irrespective of other considerations, irrespective of desire to make a little more profit, I, for one, will stand on this floor, even though I am the only one to do so, to protest against any action being taken which does not first take care of Uncle Sam's citizens. I was told long ago that charity begins at home. Even in this proposed legislation I want to take care of Uncle Sam's citizens first.

Politically, possibly it would help me more to agree with the mistaken conclusions of the senders of the telegrams and letters from my State. However, I have not cast a vote in this body and I know I never shall, because of political expediency, irrespective of the consequences.

In my opinion, this piece of proposed legislation is detrimental to the best interests of the American people and to the producing farmers themselves because once we commence to use a type of labor that lives contrary to American standards and the American way of life, business—and farming is a business—is bound to suffer. We will suffer economically, we will suffer socially, we will suffer politically.

What has made this country great and what has made it the leader of the world, is carrying out the concepts of the American way of life.

I want to call the Senate's attention to one of our agreements with the Republic of Mexico at the moment. I think I referred to it heretofore in the course of a colloquy. Several years ago the people of this country became concerned over the hoof-and-mouth disease below the border, and there was reason for that concern. The people on this side of the border would have suffered intensely both economically and otherwise if that terrible disease had been left uncontrolled. The Congress of the United States, again trying to protect the American way of life, made available millions and millions of dollars, taxpayers' dollars, to try to control that disease in Old Mexico. I think this country acted with

wisdom and that our friendly neighbor Republic has cooperated 100 percent in order to eradicate or control the infection.

Mr. President, it is my considered opinion, having had first hand information in dealing with the type of labor that is proposed to be imported under the proposed legislation, that the effect of such importation on our social, economic and political life will be worse and more detrimental to the American people than all the damage that could be done by the hoof-and-mouth disease. In the proposed legislation we are dealing with human elements and the only thing the bill does as far as those persons are concerned is to undo many constructive things that were done, as for example, by the great Lincoln. Many of the things that were protected by the sacrifice of hundreds of thousands of lives in the first and second world wars, the things that the boys in Korea are dying for, will be destroyed by this piece of legislation.

Mr. President, speaking further in regard to Senate bill 984, which is now being considered by the Senate, let me say that the bill was reported to the Senate on the assumption that there is a crying need for the importation of a large—but an unspecified—number of alien workers to be employed on a few corporate farms in particular regions of the United States. It is claimed that these workers are urgently required in the defense mobilization period which we now are entering. That is the claim; nevertheless, the bill is limited to 1 year in duration. Therefore, Mr. President, I do not see how the enactment of the bill will help to any great extent in the long-range mobilization plan.

An analysis of the demand for enactment of the bill shows that it comes from particular regions which can be clearly defined. The demand for enactment of the bill does not come from the North Atlantic States or from the South Atlantic States or from the middle Western States which are the great breadbasket of our country and are made up of millions of family-type farms which are the bulwark of our democracy and our civilization. On the contrary, the demand for enactment of the bill comes from, and the bill is sponsored by, a few large corporations which are engaged in farming. This bill is not sponsored or requested by the rank and file of the family type farmers.

I said at the outset that the proposed large-scale importation of Mexican workers is desired by only a few corporate farms. Certainly they are few in number, as compared to the total number of farms in the United States. The fact is that of the 5,000,000 to 6,000,000 farms in the United States; there are only 125,000 large farms where the imported workers will possibly find employment; and when they do find employment there, it will be for an average of only 90 days. The 125,000 large corporate farms for which the importation of Mexican labor is requested are the so-called factories in the field.

Those who operate the 5,000,000 or 6,000,000 family-type farms do not want

to take advantage of human misery, Mr. President. On the other hand, the comparatively few large corporate farms in the United States are vast agricultural enterprises which are owned by less than 2 percent of the Nation's farm operators. It is on these farms that it is proposed that the imported Mexican laborers be employed. Yet these farms produce only approximately 7 percent of the food and fiber products sold on the American market.

So, Mr. President, let us consider the situation now confronting us. The greatest deliberative body in the world is now concerned with making the requested provision for 125,000 large, corporate-type farms, which produce only approximately 7 percent of the food and fiber products sold on the American market; but in acting on this proposal the Senate would completely ignore, neglect, and forget the 6,000,000 honest-to-goodness farmers who operate in all the States of the Union.

Mr. McFARLAND. Mr. President, will the Senator yield, so that I may suggest the absence of a quorum?

Mr. CHAVEZ. I yield for that purpose.

Mr. McFARLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JOHNSON of Colorado in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McFARLAND. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded and that further proceedings under the call be suspended.

The PRESIDING OFFICER (Mr. STENNIS in the chair). Without objection, it is so ordered.

Mr. McFARLAND. Mr. President, will the Senator from New Mexico yield so that I may propound a unanimous-consent request?

Mr. CHAVEZ. I yield.

Mr. McFARLAND. First, Mr. President, I ask unanimous consent to place in the body of the RECORD two telegrams in regard to the pending bill.

The PRESIDING OFFICER. Without objection, the telegrams will be printed in the RECORD.

Mr. CHAVEZ. Mr. President, I should like to know what the telegrams contain.

Mr. McFARLAND. Mr. President, I ask that the clerk read the telegrams.

The PRESIDING OFFICER. The clerk will read the telegrams.

The Chief Clerk read as follows:

PHOENIX, ARIZ.

Hon. ERNEST McFARLAND,
Senate Office Building,
Washington, D. C.:

We strenuously oppose S. 984 and respectfully request your support of our stand.
ARIZONA STATE FEDERATION OF LABOR,
E. F. VICKERS, Sr.,
Secretary-Treasurer.

APRIL 24, 1951.

Recent series of articles in the New York Times and other newspapers and magazines have shown the scandalous conditions under which millions of Mexican immigrants, both legal and illegal, the so-called wetbacks, live in our country. Such conditions jeopardize

conditions of all other workers. The Ellender measure is likely to add to these disgraceful conditions. In view of these facts, it should be sent back to committee for further consideration and should go to the Senate Committee on Labor and Public Welfare, in accord with the explicit provisions respecting importation of foreign workers and labor standards contained in Public Law 601, the La Follette-Monroney Reorganization Act. Evidence is ample that in this critical period of defense mobilization enough of our own citizens can be mustered to handle food and fiber crops if working conditions of minimum decency are offered.

RAILWAY LABOR EXECUTIVES'
ASSOCIATION,
G. E. LEIGHTY, Chairman.

Mr. McFARLAND. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. CHAVEZ. I yield.

Mr. McFARLAND. Mr. President, I ask unanimous consent that, beginning next Monday at 12 o'clock noon, there be a limitation of debate on the pending bill, as follows: On each amendment, 40 minutes, and no amendment to be offered which is not germane; that debate on amendments, motions, and appeals be limited to 40 minutes, the time on any amendment to be equally divided, the time for the amendment to be controlled by the Senator offering the amendment, the time of the opposition to be controlled by the Senator from Louisiana [Mr. ELLENDER], if he opposes the amendment, and, if not, by the distinguished minority leader; debate on the bill to be limited to 2 hours, to be equally divided and controlled by the distinguished Senator from Louisiana [Mr. ELLENDER] and the distinguished Senator from Nebraska [Mr. WHEERY].

Mr. CHAVEZ. Where do I come in? I should like to ask what is to be done tomorrow.

Mr. McFARLAND. We had not planned to have a session tomorrow.

Mr. CHAVEZ. I thought the Senator wanted to get through with the work of the Senate.

Mr. McFARLAND. We would have a difficult time in getting a quorum. We could not have gotten one this afternoon.

Mr. CHAVEZ. At the moment, I object.

Mr. HUMPHREY. Mr. President, will the Senator withhold his objection for a moment?

Mr. CHAVEZ. Yes.

Mr. HUMPHREY. The objective at which the majority leader is aiming is, first, to allow ample time for discussion of the pending bill, which we might very well discuss for some time this evening; second, to provide our colleague, the Senator from Oregon [Mr. CORDON] with an opportunity to discuss his amendment, which is very basic. As to other amendments, of which there are several, the time will be 20 minutes on each side. I think if we all cooperate and use a little of our time to help out we may be able to get the bill through on Monday night.

Mr. CHAVEZ. The particular point that gave me concern when I objected was that the Senator from Arizona wanted unanimous consent to cover germaneness. I think a bill that would cover wet backs would be germane, and I wanted to look into the question.

Mr. McFARLAND. I may say to the distinguished Senator from New Mexico that if he plans to offer an amendment similar to that which was offered by the Senator from Louisiana, I would except it from the reference to germaneness.

Mr. CHAVEZ. Earlier in the session I introduced Senate bill 949, which carries out the philosophy of what I have in mind. I have some amendments which I should like to have considered, at least, which would carry out the provisions of that bill. If I have assurance that those amendments will be considered, I have no objection.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. KNOWLAND. Reserving the right to object, at the moment I am a little skeptical and doubtful as to the wisdom of a unanimous-consent request that would tend to cut off discussion on the floor under a limitation of time. There are some negotiations in process relative to hearings before the Armed Services and Foreign Relations Committees. I am very hopeful that the documents and the witnesses requested may be made available to the committees, but if by any chance they are not made available, I would not want to foreclose on the Senate floor an opportunity to bring the matter to the attention of the Senate and of the country. At this time I would object to any agreement that might cut off any other debate on Monday.

The PRESIDING OFFICER. Objection is heard.

Mr. CHAVEZ. Mr. President, it appears from the statement of the Senator from California that other matters may be discussed on Monday. Even if there be only a limited number of Senators present, why can we not proceed tomorrow with the discussion?

Mr. McFARLAND. I have told Senators that we would not have a session on Saturday.

Mr. CHAVEZ. I do not like to work on Saturday, any more than does any other Senator.

Mr. McFARLAND. Some of us work every day until 8 o'clock in the evening, and Saturday is the only day on which we can clean up our office work. I have told Senators we would not have a session on Saturday.

Mr. CHAVEZ. I agree with the Senator from Arizona. It is not advantageous, as a rule, to work on Saturday. I know that we try to clean up our office work on Saturday. It is agreeable to me that the Senate go over until Monday.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. CHAVEZ. Mr. President, several amendments have been printed, and I intend to discuss them. I have another amendment, which I am sending to the desk.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

Mr. McFARLAND. Mr. President, I renew the unanimous-consent request, except that I modify it to germaneness shall not apply so that the provision with respect to any amendment which has been printed and is lying on the

table, including the amendment which has just been presented by the distinguished Senator from New Mexico, but shall apply to any new amendment to be offered.

Mr. CHAVEZ. I understand that the Senator from Arizona asks unanimous consent that debate upon amendments shall be confined to amendments which are germane, with the exception that all amendments now printed and lying on the table, including the one just offered, shall be considered as germane and shall be excepted from the unanimous-consent agreement.

Mr. McFARLAND. That is correct.

Mr. CHAVEZ. It does not apply to the time of meeting or the limitation of debate.

Mr. McFARLAND. The limitation of debate would apply.

The PRESIDING OFFICER. The Chair should observe that it would be well to have the Senator from Arizona restate his unanimous-consent request.

Mr. McFARLAND. Mr. President, I ask unanimous consent that beginning on Monday next, at 12 o'clock, debate upon all amendments, motions, and appeals, be limited to 40 minutes on each side, to be divided equally between the proponent of an amendment and the Senator from Louisiana [Mr. ELLENDER], provided he is opposed to the amendment; if not opposed, to be controlled by the distinguished minority leader; provided further, that as to the amendments which have been printed and are lying on the table, including the one just presented by the distinguished Senator from New Mexico, the germaneness provision shall not apply; provided further that any new amendment to be offered must be germane; provided further, that the limitation of debate upon the bill shall be limited to 2 hours, 1 hour to each side, to be controlled, respectively, by the distinguished Senator from Louisiana and the distinguished minority leader.

Mr. AIKEN. Mr. President, may I ask what is the amendment just offered as to which the provision with respect to germaneness shall not apply?

The PRESIDING OFFICER. The clerk will read the amendment.

The legislative clerk read as follows:

At the appropriate place, insert the following:

"Sec. —. Any person, including the owner, operator, pilot, master, commanding officer, agent, or consignee of any means of transportation who (1) brings into or lands in the United States, by any means of transportation or otherwise, or attempts, by himself or through another, to bring into or land in the United States, by any means of transportation or otherwise; or (2) conceals or harbors, or attempts to conceal or harbor in any place, including any building, or any means of transportation, any alien, including an alien crewman, not duly admitted by an immigration officer or not lawfully entitled to enter or to reside within the United States under the terms of this act or any other law relating to the immigration or expulsion of aliens, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$2,000 and by imprisonment for a term not exceeding 5 years for each alien in respect to whom any violation of this section occurs."

Mr. McFARLAND. Mr. President, it has been called to my attention that I may have made a mistake in referring to 40 minutes to a side. I mean 40 minutes on each amendment, the time to be divided equally.

The PRESIDING OFFICER. Twenty minutes to a side on each amendment.

Mr. CHAVEZ. Mr. President, reserving the right to object, I should like to ask the Senator from Arizona a question. I have 9 or 10 amendments.

Mr. McFARLAND. The Senator would have charge of the time on each of his amendments.

Mr. CHAVEZ. That is what I understood. I did not want any other Senator to control the time so far as my amendments were concerned. What about general debate?

Mr. McFARLAND. The time for general debate would be divided between the Senator from Louisiana [Mr. ELLENDER] and the minority leader [Mr. WHERRY].

Mr. CHAVEZ. Why is that, may I ask the Senator—not that I object to either one of them? Why is it divided between the minority leader and the Senator from Louisiana?

Mr. McFARLAND. To be frank with the Senator, in order that the minority leader may allot some time on amendments with respect to which the 40-minute allowance would not apply.

Mr. WHERRY. To be specifically frank about it, the only way in which the time could be allotted to the Senator from Oregon [Mr. CORDON] on his amendment would be by allotting him time on the bill.

Mr. CHAVEZ. Not having heard the Senator from Nebraska express his opinion, or state how he feels about this proposed legislation, but recognizing his intelligence, I still have hope. I anticipate that the right thing may be done. I should like to see the time divided as between the proponents of the bill and the opponents.

Mr. McFARLAND. I am sure that there will be no difficulty in that connection. I have the utmost confidence in the Senator's fairness.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. WHERRY. The reason I have not expressed myself up to this moment is that I have not had an opportunity.

It is perfectly agreeable to the minority leader—and I am sure the minority—if the distinguished majority leader wishes to include in the unanimous-consent agreement a time limit of, say, an hour on a side for the Cordon amendment; but he did not wish to do that because that would be unfair to other Senators who wish time on their amendments. So we worked out an agreement under which I am to be in charge of the time on the bill. I do not care whether I have control of the proponents' time or the opponents' time. I do wish some time for the Senator from Oregon [Mr. CORDON] to discuss his amendment.

Mr. President, we cannot put everything in a unanimous-consent agreement. I want it thoroughly understood that there has been a definite agreement

between the distinguished Senator from Louisiana [Mr. ELLENDER] and the minority leader relative to the division of time which he controls, so that in the event a situation happens such as that described by the Senator from California, ample time will be made available for that purpose.

Mr. AIKEN. Mr. President, may I ask the majority leader whether, in making his request, he included the requirement that the discussion be germane to each amendment? With 25 amendments, I can see how we might talk for 2 days, and listen to many speeches which do not relate at all to the importation of foreign labor.

Mr. McFARLAND. That could happen, but I do not believe it will.

Mr. AIKEN. It did happen not very long ago.

The PRESIDING OFFICER. The Chair will have to put the question. That is not a part of the unanimous-consent request.

Mr. HUMPHREY. Mr. President, reserving the right to object—

The PRESIDING OFFICER. Let the Chair put the question.

Mr. HUMPHREY. Reserving the right to object, Mr. President—

The PRESIDING OFFICER. The Chair will recognize the Senator in a moment.

Mr. McFARLAND. I yield to the Senator, if I have the floor.

The PRESIDING OFFICER. Does the Senator from Arizona include in his unanimous-consent request the idea of transferring time?

Mr. McFARLAND. Yes. I meant to do that. There will be 2 hours on the bill, and either the proponents or the opponents may have the privilege of relinquishing any part of the time thus allotted to a proponent of an amendment or to an opponent.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. HUMPHREY. Mr. President, I wish to ask whether, with respect to the amendments which I have submitted, I shall have the opportunity of controlling the time?

Mr. McFARLAND. Yes.

Mr. HUMPHREY. Will I be able to dispense time to any Senator, in order that I may satisfy the Senator from Oregon [Mr. CORDON] and other Senators?

Mr. WHERRY. That is correct.

The PRESIDING OFFICER. The proponents will have control of 20 minutes' time on each amendment.

Mr. McFARLAND. The Senator will have charge of the time on his amendment.

Mr. HUMPHREY. Mr. President, I send to the desk an amendment and ask that it be printed and lie on the table.

The PRESIDING OFFICER. It is not now in order. The question is, Is there objection to the unanimous-consent request?

Mr. HUMPHREY. If the amendment is not in order, I shall have to object. I did not have time to get this amendment in before the unanimous-consent request was propounded. The amendment is germane.

The PRESIDING OFFICER. Without objection, the amendment will be printed and lie on the table.

Is there objection to the unanimous-consent request of the Senator from Arizona?

Mr. CHAVEZ. Mr. President, again reserving the right to object, I know that several Senators wish to speak on the bill, and I know that they wish to discuss amendments. I do not know whether an hour for each side would take care of those Senators. I think we would gain more if we were to proceed for a little while longer with the discussion today, and possibly by 12:30 or 1 o'clock on Monday we shall hear from other Senators, and ascertain how they feel about the matter. Then we can proceed to reach a unanimous-consent agreement.

Personally I do not like unanimous-consent agreements. We have had a great deal of trouble in this body because of unanimous-consent agreements. Some Senator may wish to discuss a bill or an amendment, and find that he has no opportunity because we are tied down by a unanimous-consent agreement.

Mr. McFARLAND. Mr. President, we have done the best we could to accommodate all Senators. We have consulted with every Senator we could reach.

Mr. CHAVEZ. There was no quorum call.

Mr. McFARLAND. We had a substantial part of a quorum. A quorum is not required for a unanimous-consent agreement to limit debate. If we wait until Monday, we shall be here perhaps until Thursday or Friday on this bill, because we shall be discussing other things. With this agreement I feel confident that we can dispose of the bill promptly. I hope the Senator will not object.

Mr. CHAVEZ. I understand. I am always agreeable, and I always get the worst of it by being agreeable. In this particular instance, so far as this bill is concerned, we can proceed with the debate for a little while longer this afternoon—I do not know for how long. Tomorrow we are going to take it easy in our offices. We are not interested in gaining time.

The PRESIDING OFFICER (Mr. STENNIS in the chair). As a Member of the Senate, the present occupant of the Chair calls for the regular order. Is there objection to the unanimous-consent request?

Mr. CHAVEZ. I object.

Mr. McFARLAND. Mr. President, I am willing that the Senate meet tomorrow if any Senator wishes to come here and speak, if in that way we can find it possible to reach a unanimous-consent agreement.

Mr. THYE. Mr. President, reserving the right to object—

The PRESIDING OFFICER. The Chair understands that the Senator from New Mexico has the floor. Does he yield the floor?

Mr. CHAVEZ. I objected to the unanimous-consent request.

The PRESIDING OFFICER. Objection has been heard. The Senator from New Mexico has the floor.

Mr. CHAVEZ. Mr. President, before the quorum call was ordered I had stated

that 125,000 big farms represented only 2 percent of the Nation's farm operators. They produce only approximately 7 percent of the food and fiber products sold on the market. There is grave doubt whether there is any real need by even this fraction of the farmers for the proposed legislation.

Why do I say that? I say it because the President's Commission on Migratory Labor so declares in the findings issued several days after the Senate Committee on Agriculture and Forestry reported the measure. It was only a few days after the Senate Committee on Agriculture and Forestry reported the bill that the President's commission studying this very question made its report. That report was contrary to the recommendation made by the Senate Committee on Agriculture and Forestry.

Based on many months of study and hearings throughout the country the President's Commission on Migratory Labor said:

Although our Government is importing large numbers of foreign workers for employment on farms, we are convinced that they are not needed to meet the food requirements of the defense emergency period.

Mr. Roberts in his telegram to me stated that one of the reasons for prompt passage of the bill reported by the Committee on Agriculture and Forestry was that it was necessary to meet the requirements of the defense emergency period. But the President's Commission, which has studied the problem, stated differently in its report, which I hold in my hand. It said:

Although our Government is importing large numbers of foreign workers for employment on farms, we are convinced that they are not needed to meet the food requirements of the defense emergency period.

Hence that report is entirely contrary to the conclusions reached by Mr. Roberts of the Farm Bureau Federation in New Mexico.

Mr. President, the President's Commission on Migratory Labor was composed of men distinguished for their impartiality and fine minds. They would not have made such a statement carelessly. They made it only after the evidence they assembled from one end of the country to the other satisfied them that such a statement is an expression of the true facts as to farm labor needs. The Chairman of the Commission came from a Southern State. He is not interested in political expediency. He is not interested in slave profit. His name is Maurice T. Van Hecke. He is dean of the University of North Carolina Law School, a scholar and teacher noted in his profession. North Carolina has produced some very fine Americans, very fine investigators, very fine citizens.

Another member of the Commission was Noble Clark. Who is he? He is the chief of the agricultural experiment station at the University of Wisconsin. Mr. President, would he be interested in farm labor. Would he be impartial? I will let Senators answer that question.

Another member of the Commission was Archbishop Robert E. Lucey, of San Antonio, Tex., in the very heart of the wetback problem. Only today I have received a telegram from Archbishop

Lucey. It is dated San Antonio, April 27, and reads as follows:

May I sincerely commend your efforts to amend the farm labor measure now under Senate consideration so that it will contain at least some standards of—

Of what?—
of decent working conditions.

Mr. President, I know I could defeat the bill, or that we could properly amend it, if the Senate of the United States would only understand its implications. I continue to read:

so that it will contain at least some standards of decent working conditions and will not encourage a further influx across the border of large numbers of Mexican workers who are not needed. Having long studied the farm-labor situation in this area at first hand—

Not in committee hearings, but dealing with human beings affected with working conditions daily—

at first hand and in recent months as a member of the President's Commission on Migratory Labor in its Nation-wide investigation I—

Archbishop Lucey, of San Antonio, Tex., speaking—

I firmly believe that the demand for further Mexican workers is not justified. If a small number of alien workers are required, immediate steps should be taken to organize our farm-labor force which in itself should be adequate for our needs.

I wish you success in your noble undertaking.

ARCHBISHOP LUCEY.

When he says:

If a small number of alien workers are required, immediate steps should be taken to organize our farm-labor force which in itself should be adequate for our needs—

He is speaking for the millions of American citizens who are available for farm labor in the United States.

Another member of the Commission was Dr. William Leiserson, former Chairman of the National Labor Relations Board; and still another member was Dr. Peter Odegard, member of the faculty at the University of California and president of the American Political Science Association.

The latter is a scientist at the University of California. California has many problems, thousands of problems connected with migratory workers, whether they be aliens or from the continental United States. This man has no ax to grind. He, as a scientist, studied the problem. He was a member of the Commission that made the report and the comment:

Although our Government is importing large numbers of foreign workers for employment on farms, we are convinced that they are not needed to meet the food requirements of the defense emergency period.

The word of these men, Mr. President, should be given very careful consideration. The Senate can ill afford to disregard the findings and recommendations of such a Commission after its prolonged and painstaking Nation-wide inquiry and analysis. If each of us in this Chamber can find time to read the Commission's report—and I hope each of us will find time—our conclusion will

be that there is no real need for the type of legislation now before us.

We have the admission of my good friend, the chairman of the committee, that the Commission's report was not considered, in the first place, because it was not available and, in the second place, for reasons best known to the committee.

Mr. ELLENDER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BUTLER of Maryland in the chair). Does the Senator from New Mexico yield to the Senator from Louisiana?

Mr. CHAVEZ. I yield.

Mr. ELLENDER. I wonder whether the Senator from New Mexico realizes that more than a year was required by the Commission to enable it to make its report. Under those circumstances, how could the committee have considered the whole subject in a few weeks? As I have indicated on several occasions, in order to be in a position to import Mexican labor and to obtain it in time for use in harvesting the big crops which are now being grown, we must act on this bill before June 30.

Mr. CHAVEZ. Mr. President, I know and respect my good friend, the Senator from Louisiana. I know his ability and his alert mind, and I know of the fine committee staff he has. It would not have taken that staff an hour and a half to analyze the report and give that information to the Senator from Louisiana.

Mr. President, let me say that I recall the time during the reign of James II of England when one of the Scotch dukes was arrested and taken to London, and there he was beheaded. Thereafter his brother, also a Scotch duke, was taken to London, but for the moment he was not beheaded. He was taken before King James. Being a fine Scotchman, that duke was firm in maintaining his convictions. King James said to him, "You have been answering improperly. You forget that I have the power to save your head."

The good Scotch duke, firm man and good citizen that he was, said, "I know that Your Majesty has the power to save my head, but I also know that Your Majesty does not have the inclination to save my head."

Mr. President, I am sure it was not a lack of inclination which caused the committee not to act on the recommendations of the President's Commission. To the contrary, I think the failure of the committee to act on the recommendations of the Commission was due to the laudable desire of the committee to report a measure on this subject. So, possibly unintentionally, the committee neglected to look at the report made by the President's Commission.

The commission found that there are approximately 1,000,000 adult persons who follow the crops from area to area and from State to State, and often do not have a permanent place which they call their home. The average annual earnings of these workers "wandering restlessly over the face of the land" was found to be slightly more than \$500 a year. Mr. President, in these days when

we are sermonizing to the entire world, in these days when we try to impress on all other countries the benefits of the point 4 program, we find a commission composed of outstanding citizens of our country telling us that 1,000,000 adults within our own country earn only approximately \$500 a year, at a time when liver is selling for \$1.75 a pound. Should those persons be protected, or do we exercise sound judgment if we forget those 1,000,000 adults and if we import foreign labor because it might be advantageous for the moment for a few farmers?

The commission's report leaves no doubt as to how shocking are the housing, health, and living conditions of these migrants.

Mr. President, the report states that at Fort Collins, Colo., a doctor, who is chairman of the Colorado Governor's Committee on Migrant Labor, testified about conditions in a large farm-labor camp which was built and formerly was operated by the United States Department of Agriculture, but now is under the management of farm employers. I wish to read some of his testimony. Inasmuch as only a few Senators are now present in the Chamber and are listening to what I say, I respectfully call this matter to the attention of our guests who are in the gallery:

I have never been as shocked as when I entered the one-room shacks with old iron bedsteads and thin pads, with one shaded bulb, in which as many as 8 to 10 people sleep, and with an old cook stove, dirt just as thick as you could find it, no toilet facilities, no water facilities. The thing that the camp is proud of is the bank toilets and bank showers, and when I counted up the numbers that were available, when one considers the large number of people that live there in the summer, it's below the lowest possible standard of 30 or 40 years ago, let alone today's standards.

In the commission's report it is stated that when the United States Public Health Service X-rayed the occupants of that camp in 1949, it was found that 115, or 4.2 percent, of the 2,704 migrants examined, showed positive tuberculosis or other pathological conditions.

That situation was found to exist in our progressive America, Mr. President, in the country that is telling the rest of the world how to behave and how to improve its condition and how to obtain better economic advantages for its people.

That is sermonizing. I continue:

The director of this Florida county testified:

"This is an actual observation: A sanitation reports 180 people living in 60 rooms, with only 1 toilet stool that works."

One hundred and eighty people. I hope if Senators cannot listen to this, they will read my remarks; but, if they do not, I want all the American people to know about the conditions. When the American people know about the conditions, I shall consider myself to have been fully repaid for my humble efforts in trying to set forth a picture of very bad health within the United States. But, at the place where there was but 1 toilet stool which worked, and which was to accommodate 180 persons, condi-

tions have improved, according to the report of the President's Commission, which continues:

This has been corrected somewhat by three additional stools which were added by the time of the last inspection.

We are picking up. The Florida county health director continues:

One of our public-health nurses visited a nursery maintained on a private farm and found 48—I did not say 4, I said 48—infants on 2 double beds.

Infants, Mr. President, who might become human cannon fodder in the protection of our democracy. Should attention be paid to those conditions by the American people, including its representatives in the Congress? There are nevertheless those who become excited about the point 4 program for the underdeveloped areas of the world. Only today, in the Senate Committee on Appropriations, consideration was given to the appropriation of money to be sent abroad for the care of children—a noble, a laudable purpose. But, I ask, what about our own children? What about our own workers? Mr. President, call it isolationism, if you wish, but I, for one, still want to think of, and am proud to think of, the American people. The director of the Florida County Health Department says:

I did not say 4, I said 48—infants on 2 double beds. I might add that two of the babies in that location subsequently died.

About 100,000 of these workers were found to be contract nationals imported legally, as will be done under this bill, from Mexico and the British West Indies. Some 400,000 were found to be illegal immigrants, so-called wetbacks from Mexico. Mr. President, do you observe the proportion? What would happen under the provisions of this bill? Of the total of 500,000, 100,000 were found to have come here legally under contracts with employers in this country, the other 400,000 were found to be illegal immigrants or wetbacks.

The disgraceful condition under which these immigrants seek to eke out their pitiful living has been the subject of many newspaper and magazine articles. The New York Times, in a graphic and deeply-moving series of articles written by Gladwin Hill, published from March 25 to 29, describes the distressing plight of these Mexican immigrants. The distinguished Senator from Illinois [Mr. DOUGLAS] inserted this series in the CONGRESSIONAL RECORD on April 9. The articles assert that as many as 1,000,000 Mexican workers have crossed the border illegally within a single year. What this means in misery for the wetbacks is bad enough, but the pitifully low wages they receive over long periods of time make them an economic liability in the areas where they are employed.

To illustrate, I wish to call attention to the headlines of the articles which appeared in the New York Times. The first one, which appeared on March 25, 1951, was headed:

MILLION A YEAR FLEE MEXICO ONLY TO FIND PEONAGE HERE

Illegal migration across 1,600-mile border by seasonal—

What kind of labor?—

slave labor depresses Latin and United States levels alike.

That article, together with other articles, was inserted in the CONGRESSIONAL RECORD on April 9. I have before me one of the series of articles, which appeared in the New York Times on April 26. It was written by the same author, and I wish to call attention to the headline. It will make wonderful reading in a country which is fighting so hard for democracy, a country which would provide everything that is good for every other country, a country which believes in point 4. Listen to this:

Peons net farmer—

That is, the man who believes in the passage of the pending bill in its present form—

Peons net farmer a fabulous profit; illegal migrants from Mexico working rich soil of West a bonanza to exploiters; pay 15 to 25 cents a day.

We talk about the American way of life, about American standards of living. Mr. President, do you think it is doing the American laborer or the American businessman any good to have in this country a human being, whether a native, a citizen of the country, or a foreigner, who receives from 15 to 25 cents a day?

Is not that very condition undermining our way of life? We love to talk and to brag about American standards of living. They are very fine, and we want to keep them that way. But we must have the ability to keep them up, and we shall not do it with slave labor, either domestic or otherwise.

Mr. President, I think I should read a portion of this article. I have read some of the headlines, but they go a little further. Here is another headline:

And many receive food alone, while shelter is a hut, a thatch, or the stars.

Not the 15 or 25 cents, so the article say, but "many receive food alone, while shelter is a hut, a thatch, or the stars."

The stars are the best. Nature provided that shelter. I have seen the huts, and in many instances the average American farmer would not furnish such habitations for his pigs, his horses, or his sheep.

The date line of this article is Brownsville, Tex., March 26, 1951. I read further:

The lower Rio Grande Valley is the heart of the 1,600-mile-wide border belt stretching from Texas to California into which more than 1,000,000 Mexicans annually infiltrate illegally in quest of work.

That has reference to slave work, because they are so poor and poverty-stricken.

Here, amid such towns as Waslaco, Donna, Harlingen, and McAllen are some of the most fertile and productive cotton, citrus, and vegetable lands in the country.

That is true, Mr. President. Much of the spinach, onions, lettuce, citrus fruit, and other food products comes from that productive valley.

The lower Rio Grande comprises principally three counties, Cameron, Hidalgo, and Willacy, with 300,000 population. Their only fractionally cultivated gross area of 3,000 square miles, although constituting only 2 percent of the total area of the State, yields some 15 percent of its farm income.

In this relatively small area, on an average day during last year's harvest peak, according to a careful study by two leading southwestern sociologists, about 100,000 wetbacks were working. A check of 14 farms taken at random by Dr. Lyle Saunders of the University of New Mexico and Dr. Olen Leonard, of Vanderbilt University, disclosed that 93 out of every 100 workers were illegal Mexican aliens.

In lesser concentrations as the distance from the border increases, but still in swarms of thousands, other wetbacks can be found in the harvesting and thinning seasons in the Salt River Valley of Arizona, the Imperial and San Joaquin Valleys of California, and many other sections of the West and South—legally fugitives from justice, but beneficiaries—or victims—of skimpy border protection, grasping farmers and an apathetic public.

How shall I say it—it is a matter of the turning away of the eye of the immigration agent.

Over the whole area there are many farmers and farm associations that because of special circumstances or plan scruples do not use wetbacks—

In many areas the farmer himself does not employ them.

but for the average farmer, such a course means bucking an entrenched cheap-labor system.

That is what it is.

In contrast to visions of affluence, conjured up by the wide disparity in United States and Mexico living standards, the wetback finds himself under a system of wages governed entirely by what the traffic will bear.

That is what will happen if the proposed legislation is passed as reported to the Senate.

Farmers acknowledged to the President's Commission on Migratory Labor last summer that they paid field hands as low as 15 cents an hour.

Human beings with families.

According to the Saunders-Leonard study, the prevailing hourly wage for wetbacks in this valley last year was 25 cents an hour.

So, as between the article and the headlines, I say to the Senator from Louisiana that there is a mistake, because, according to the headlines, it was from 15 to 25 cents a day, and in the heart of the article it is stated as being from 15 to 25 cents an hour.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. ELLENDER. Does the commission indicate the period during which the data were gathered? In exactly what year was it?

Mr. CHAVEZ. This was in 1948.

Mr. ELLENDER. If the study took place in 1948, during what period was the wage paid?

Mr. CHAVEZ. The commission did not come into being until the past 2½ or 2 years; so it was within that period.

Mr. ELLENDER. It must have been before that period that the wage was being paid.

Mr. CHAVEZ. I was speaking of the time that Dr. Saunders, of the University of New Mexico, and Dr. Leonard, of Vanderbilt University, made their investigation. As I understand, the Saunders report was issued on January 1, 1951.

Mr. ELLENDER. The wages were for what year?

Mr. CHAVEZ. Last summer.

Mr. ELLENDER. Were those wages paid to wetbacks?

Mr. CHAVEZ. Yes. I continue reading from the article:

Although cotton was selling at exceptionally high prices—

So it was 1950—

the cotton picking rate in the valley was at its lowest in some time, \$1.25 a hundred pounds—

I wish some of the Senators from non-cotton producing areas could at some time see the fatiguing stoop work of the cotton picker—

at which, it was calculated, the average picker might earn a maximum of about \$26 for a 7-day week—

Twenty-six dollars for 7 days of picking cotton.

Hourly rates like 25 cents do not necessarily indicate the real wage level in a particular situation, because they may be replaced by piecework rates that are less, or by day rates based on a theoretical 8 hours that in practice may stretch out to 10 or 11 hours.

Gross wages, moreover, are often subject to deductions for meals, commissary purchases, and special assessments, such as the common practice of charging workers for binding wire for vegetables, a practice obviously implying either a paring of the nominal wage or profiteering on the wire.

Two cases reported last summer at McAllen were a father, mother, and two children who had worked 4 days for a net of \$6.50 and an inexperienced cotton picker who after 3 days' work was told he had just earned the food he had eaten.

That is happening in our democracy, Mr. President.

I ask unanimous consent that the remainder of the article be printed in the RECORD at this point in my remarks.

There being no objection, the remainder of the article was ordered to be printed in the RECORD, as follows:

SOME GET NO CASH

It is not extraordinary for wetbacks to report having worked for weeks only to be told that there was no cash due them. In such a circumstance the wetback has little scope for argument; the farmer can just turn him into the immigration authorities for deportation.

A few days ago I talked with a wetback named Felix Moreno, who had come into El Centro, Calif., to get help in collecting \$47 he said a nearby farmer owed him for 10 days of carrot bundling. He was one of 50 wetbacks in a crew of 65. A typical wetback in many respects, Moreno was 24 years old and had a wife and year-old child back in Mexico.

Last fall he had taken more than a month's Mexican wages to buy a train ticket from Santiago, Guatajuato, 800 miles south of the border. He had walked across the line in the desert and worked intermittently in cotton and vegetables in the 6 months since. In his pocket he had 20 cents.

Aside from wages, the wetback gets nothing. His lodging is seldom better than an irrigation-ditch bank or hut improvised from junk or thatch. The worker-housing situation in Lower Rio Grande Valley ranches was tersely summarized in a report published by the University of Texas last December: "No housing facilities exist."

Southwestern farmers have two principal explanations for the wholesale resort to labor that is contraband but the employment of which, because of legal technicalities, is not subject to prosecution.

One is that "local labor is not available."

It is true that, under present arrangements, peak harvest labor requirements often exceed the immediate local supply. The University of Texas survey, made by Prof. Eastin Nelson and Prof. Frederic Meyers, found, for instance, that in the Lower Rio Grande Valley seasonal cotton labor needs fluctuated from 5,000 to 125,000 against a permanent total labor force of only 38,000.

However, the same study found that an adequate supply might well be drawn from within the State of Texas if adequate monetary and other considerations were offered.

Observing that "much of the agricultural labor in the valley is performed by illegal entrants from Mexico," and tactfully skirting the question of wages with the notation that they were "low" even in comparison with other parts of Texas, the Nelson-Meyers report continued:

"The valley has an opportunity almost unique in a largely agricultural area of providing steady year-around jobs for a permanent resident labor force * * * (but) no such stable and desirable conditions exist, and the reasons for their lack lie plainly in the instability created by the continuous traffic back and forth across the Rio Grande.

FACILITIES UNNECESSARY

"The living standards which Mexican nationals are willing to tolerate, and the fact that so many of them are only temporary residents, have made it unnecessary for valley farmers to provide housing, sanitary facilities and other nonwage perquisites adequate to retain a permanent resident farm population."

During the last few years while the wetback traffic has been increasing at a rate of 50 percent or more a year, there has been more or less constant farm unemployment in the Southwest.

In the face of purported shortages of labor in Texas, every year around 100,000 residents of the State take to the road, joining the migrant farm labor stream to the States north, west, and east, where lessened wetback competition brings more adequate compensation.

Granting the possible occasional need for foreign labor, there is machinery under the United States-Mexico agreement of 1949 for the legal importation of workers under contract. But the farmers do not like this, because contracting involves minimum wages—ranging currently from 40 cents an hour for Texas to 60 cents for California—and guaranties of housing, insurance, and other conditions that make it far more expensive than wetbacks. Consequently, legal contracting has remained minute in comparison with wetback employment.

Although wetback employment is such an established institution that Rio Grande Valley newspapers refer to it baldly as cheap labor, farmers often argue that any greater labor costs would put them out of business.

CAN BE DONE

There is telling evidence in contradiction of this contention. For virtually every case where a crop is being produced with wetback labor, instances can be found of the same crop's being produced competitively—often in less favorable areas—with legal Mexican contract labor or domestic labor.

At the time farmers in the Lower Rio Grande Valley were paying \$1.25 for cotton picking, farmers in California's San Joaquin Valley—300 miles from north of the border—were paying \$3—and making impressive profits. Similar differentials customarily exist in citrus and vegetable production, despite California's more costly distance from Eastern markets.

Even within Texas, "at a time when daily wages for cotton chopping (thinning) in the valley were about \$2.25," the Nelson-Meyers report said, "in the northeast sandy lands of Texas they were \$3, in Corpus Christi and the coast prairie areas they were \$4, in the rolling plains \$5, and in the high plains \$5.25."

The Saunders-Leonard study indicated that valley farmers were able to realize upwards of \$5,000,000 extra profit of their cotton crop last summer by their illegal-labor wage rates. This comfortable differential possibly throws light on the fact that during 1949, when the farm income of the State as a whole was declining 8 percent, according to statistics of the State department of agriculture, valley farmers were able to increase their income by 7 percent.

Mr. CHAVEZ. Mr. President, I have in my hand an article published in the New York Times of March 27, 1951, under the caption: "Peons in the West lowering culture—Illegal migrants from Mexico form vast unassimilable block of population—All standards decline—Health, education, democracy in areas where wetbacks work are deplorable."

Mr. President, I ask that the entire article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PEONS IN THE WEST LOWERING CULTURE—ILLEGAL MIGRANTS FROM MEXICO FORM VAST UNASSIMILABLE BLOCK OF POPULATION—ALL STANDARDS DECLINE—HEALTH, EDUCATION, DEMOCRACY IN AREAS WHERE WETBACKS WORK ARE DEPLORABLE

(This is the third of five articles dealing with the economic and sociological problem of the wetbacks—illegal Mexican immigrants in the Southwestern United States.)

(By Gladwin Hill)

EL PASO, TEX., March 26.—The annual invasion of the United States by more than 1,000,000 illegal Mexican border jumpers, long regarded by some as merely a quaint regional phenomenon of the Southwest, is emerging as a prime factor in some of the worst economic and social conditions in the Nation.

It is a matter of extensive public record that the 3,000,000 Mexican-American citizens of the Southwest are one of the most underprivileged segments of the population, in earnings, health, education, and equality of treatment.

The wetbacks, whose influx in its present proportions is a development of recent years, did not originate these conditions. In the opinion of a large number of expert observers, however, their presence has done much to perpetuate and aggravate them.

"From a cultural standpoint," states Dr. George Sanchez, head of the department of history and philosophy of education at the University of Texas, and probably the foremost student of regional interracial affairs, "the influx of a million or more wetbacks a

year transforms the Spanish-speaking people of the Southwest from an ethnic group which might be assimilated with reasonable facility into what I call a "culturally indigestible" peninsula of Mexico."

NULLIFIES INTEGRATION

"The wetback migration tends to nullify processes of social integration going back 300 or 350 years, and I would say at the present time has set the whole assimilation process back at least 20 or 30 years."

It is the Mexican-American citizens whom primarily the wetback cheap-labor invasion deprives of jobs, and, through broad economic pressures, pulls down to its own primitive living standards.

It is the wetbacks, as parties to an informal system of peonage, who inexorably tend to set the level of the far from frictionless relations between the Mexican-Americans and the "Anglos."

"No citizen who wants to live in even a minimum of comfort and decency can compete with the wetback wage scale," Dr. Sanchez and Dr. Lyle Saunders, of the University of New Mexico, said in a recent report of the University of Texas' continuing study of the Spanish-speaking peoples, a project of the Rockefeller Foundation's general education board.

"With an oversupply of cheap unprotected labor always present organization of workers is impossible, individual bargaining is futile.

"There are only two choices: Work for what the wetback works for and live as he lives, or leave the area. Many accept the former alternative. Those who can, choose the second and become displaced persons. Either choice results in undesirable conditions for the individual and social problems for the community."

IN THE WAKE OF POVERTY

"For those who stay and attempt to compete, there is poverty and all the evils associated with it; disease, ignorance, child labor, crime and delinquency, lack of concern with civic affairs, slum conditions, and always the weight of a deadened, passive, apathetic population to be carried on the shoulders of other elements of the community.

"For those who leave, there are similar problems of health, education, welfare, and housing—problems that affect those migrating and those in the communities to which they go."

The second alternative is exemplified in the annual migration of around 100,000 Texans, along with thousands of farm workers resident in other wetback States, to other harvest areas of the Nation in quest of remunerative work.

It is possibly more than coincidence that the number of migrant farm workers who course the Nation annually has been independently estimated at 1,000,000—on the order of a conservative estimate of the number of wetbacks who annually breach the border.

The sources of this migration vary in many cases in direct proportion to the presence of wetbacks. In the lower Rio Grande Valley of Texas, the heart of "wetbackland," where as many as 100,000 wetbacks may be working at one time during the harvest peak, a recent survey showed that of 15,000 families, 8,000 had hit the migrant trail during a 2-year period.

NOT MERELY AGRICULTURE

The dislocations are not confined to the agricultural field. Wetbacks filter into every occupation from culinary work to the building trades. Practically any labor union in the 1,600-mile border zone from Texas to California can cite local instances of wetback competition in its field.

An analysis of a group of 160 supposedly agrarian wetbacks picked at random from among a summer's deportations by Dr.

Saunders disclosed nine bricklayers, seven truck drivers, three miners, two factory workers, two welders, two weavers, a painter, a barber, a blacksmith, a butcher, a shoemaker, and a policeman.

A check of a single residential block in El Paso, Tex., one day last summer turned up three wetbacks doing craft work—a painter, a carpenter, and a carpenter's helper, working at rates from 57 cents an hour down to 37 cents.

In southwest Texas, wetback competition is so strong that even such nationally powerful unions as the teamsters' and the building trades' are only sketchily organized. An organizer for the American Federation of Labor in the area acknowledged sadly that even loyal union members had got in the habit of working on jobs beside wetbacks without protest.

The approximately 1,250,000 Mexican-Americans in Texas comprise one-sixth of the States population. In many parts of southwest Texas they are predominant in the population.

The retarded assimilation of the Spanish-speaking people, the University of Texas report stated, is "revealed in second and third generation citizens who do not speak or who are not fluent in the language of their country, in poor school attendance records and low educational attainments, in abnormally high concentrations in unskilled occupations, in the persistence of separate, segregated institutions, and in subjective out-group feelings toward non-Spanish-speaking citizens."

Despite all the problems of assimilation, Dr. Saunders concluded from a recent study of the valley, "it is conceivable that a mutually satisfactory adjustment involving a considerable cultural and perhaps even biological blending of both groups might have been reached had it not been for the continual inflow of large numbers of wetbacks.

"For the wetback embodies most of the elements necessary to reinforce the stereotyped notions of the Anglo through which he sees or fancies he sees undesirable characteristics in the Spanish-speaking group, and tends to assign to all Spanish-speaking people the characteristics he thinks he sees in the wetbacks * * * poor, uneducated, unskilled, underfed, and frequently unclean."

DISCRIMINATION RAMPANT

Although the Texas courts have held that Mexican-Americans are white and therefore not subject to the same level of segregation as Negroes, they are still subject to extensive discrimination—both organized, as in certain public-housing projects, and informally. A typical example reported by Dr. Saunders is that where Anglo-American stenographers get between \$150 and \$250 a month, and average about \$167, the standard scale for Mexican-Americans, despite their convenient bilinguality, is \$100 to \$150.

Although constituting some 16 percent of the population of Texas, Mexican-Americans account for only 2 percent of the enrollment in the State's 4-year colleges and universities.

Consonant conditions obtain, in varying degrees, throughout the Southwest.

Possible illumination of the correlation between the status of the wetback and that of the Mexican-Americans is provided by a comparison of their role in public affairs, in the States of Texas, New Mexico, and California. In all three States, Spanish-speaking populations have been established for more than a century. In New Mexico, the Spanish-speaking people constitute a larger proportion of the over-all population than in the other States—about half—but from a governmental standpoint their concentration is no greater in various areas than in important sections of Texas and California.

In the latter two States, prime termini of the wetback influx, you can search the rosters of State, county, and local legislative and administrative personnel through hundreds of names without encountering one that is Spanish.

In New Mexico, which has only 100 miles of border contiguous to Mexico and where there is relatively little farming to draw wetbacks, for practically every Anglo-American in public office—including the State's representation in Congress—you can find a person of Latin extraction.

COMPARATIVE DEATH RATES

Among the Anglo-American population, the 1946 death rate from diphtheria was 1.81 per 100,000 population; for the Spanish-speaking people, a synonym for Mexican-Americans, it was 6.47; the Anglo-American whooping cough rate was 0.64, the Mexican-American, 5.73; the tuberculosis death rate, 25.4 for Anglo-Americans, 159 for Mexican-Americans.

In San Antonio, the largest city of southwest Texas, the tuberculosis death rate among Anglo-Americans is 40, among Negroes 50 and among Mexican-Americans 150.

General conditions worsen as you progress into the wetback country. In Hidalgo County, one of three that make up the lower Rio Grande Valley, a United States Public Health Service survey of 3,103 resident Spanish-speaking families comprising 16,782 persons disclosed that in 1947-48, 9.8 percent had annual incomes below \$500, 41.6 percent below \$1,000, 68.3 percent below \$1,500, and 82.9 percent below \$2,000.

In Hidalgo County in 1949, the infant death rate among Spanish-speaking people was nearly five times that among the non-Spanish speaking. In 1949 Hidalgo and adjacent Cameron County, although containing only one-thirtieth of the State's population, accounted for one-fifteenth of all the State's meningitis, one-twelfth of its typhoid and diphtheria, one-seventh of its dysentery, and one-fifth of its malaria.

EDUCATIONAL DEFICIENCIES

Comparable educational deficiencies characterize the region. The farm-worker migration from Texas customarily starts in the early spring, months before the school year ends, and the workers do not return until fall after the school year has started.

Among families who do not migrate, and who are faced with making livings under the competition of wetback wages, child labor is so common that in some parts of west Texas the public schools remain closed for an extra month while the fall harvest is on. They remain open an extra month at the end of the year, but this evidently is a minor compensatory factor. In the three valley counties, a recent University of Texas study disclosed, in the age bracket 6 to 17, more than 40 percent of the children were absent from school on a given day.

"It seems perfectly plain from the figures that a fairly large percentage of the schoolastics belong to the labor force in some degree * * * and that a fairly large percentage of (children above 14) belong regularly to the labor force."

The United States Public Health Service survey of 3,103 Hidalgo County Spanish-speaking families disclosed that 53 percent of their members had no formal schooling, 75 percent had less than 3 years, only 15 percent had from 3 to 6 years, only 1 percent had completed high school, and only 1 out of 1,000 had attended college.

Of those persons over 21, 45 percent had no schooling, only 2 percent had completed high school, and only 2 out of 1,000 had attended college. Sixty-seven percent could not speak English and 39 percent were illiterate even in Spanish. For comparison, the latest available State statistics on education among the over-all population of the same county show that 54.6 percent had com-

pleted five grades or more, and that 20.6 percent had completed high school.

Mr. CHAVEZ. The article covers one of the points which I have been stressing throughout my discussion of the pending bill, namely, that the use of peon labor not only affects wages and not only deprives the American citizen of the opportunity of working so that he may feed his family, but it has gone beyond that. It is breaking our way of life. It is breaking our democracy. It is interfering with everything we have stood for in the past one-hundred-and-sixty-seven-odd years. It is not democracy. It is slavery, pure and simple, and all that slavery implies.

Mr. President, I have another article, entitled "Southwest Winks at Wetback Jobs."

It is true, Mr. President. It is as true as that we are standing here. They do wink at the situation. They wink at it because they can get a poor, miserable creature to work for almost nothing. There are that class of people in the world. Thank God there are only a few, but they do exist.

Ethics cast aside as growers accept peonage ideas and bridle at interference.
Federal sanction noted.

It is true, Mr. President. Only a short time ago trucks of farmers were waiting on the American side of the bridge at El Paso, Tex. The immigration officers turned the other way, and the farmers picked up the poor creatures and put them in their trucks to take them to the farms.

Border patrol officers report pressures from Washington to "go easy" in raids.

Mr. President, I ask unanimous consent to have the entire article printed in the RECORD at this point, as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOUTHWEST WINKS AT WETBACK JOBS—ETHICS CAST ASIDE AS GROWERS ACCEPT PEONAGE IDEA AND BRIDLE AT INTERFERENCE—FEDERAL SANCTION NOTED—BORDER PATROL OFFICERS REPORT PRESSURES FROM WASHINGTON TO "GO EASY" IN RAIDS

(This is the fourth of five articles dealing with the economic and sociological problem of the wetbacks—illegal Mexican immigrants in the Southwestern United States.)

(By Gladwin Hill)

EL PASO, TEX., March 27.—The rise in illegal border-crossing by Mexican wetbacks to a current rate of more than 1,000,000 cases a year has been accompanied by a curious relaxation in ethical standards extending all the way from the farmer-exploiters of this contraband labor to the highest levels of the Federal Government.

Although wetbacks are fugitives from justice, southwestern cotton, citrus, and vegetable growers have come to the fixed view that there is nothing wrong in employing them, harboring them or even in actively recruiting them across the International Boundary.

Further, they have come to feel they have a vested right in the traffic. Any more than the normal token interference with it by the Immigration Service's skimpy border patrol—with less than 900 officers for the 1,600-mile expanse from Texas to the Pacific Ocean—

brings an outraged hue and cry from communities thoroughly indoctrinated with the farmers' attitude.

A year ago, in a special drive, border patrol officers were concentrated temporarily along the Rio Grande and in 1 month increased their apprehensions from 16,490 to 24,415.

GESTAPO TACTICS CHARGED

Newspapers of the Lower Rio Grande Valley immediately accused the Immigration Service editorially of "siding with Mexico" and described valley farmers as "justifiably resentful" at having their scheme of things thus disrupted.

A barrage of feature articles followed, describing in emotional verbiage the purported separation of families by the deportation of border jumpers (an exigency specifically exempted in the immigration laws); and dire conditions allegedly created on the Mexican side of the border by the congestion of deportees (which Mexican officials promptly denied).

The border patrol, long known for its anomalously amicable relations with both the farmers whose fields it periodically raids and the Mexicans it deports, was accused of almost as heinous a roster of outrages as was laid to the Nazi Government in headlines such as: "Says border patrol uses Gestapo methods." * * * "Illegal search and seizure is issue." * * * Valley Legion scores acts of border patrol." * * * "Crime against humanity."

Representative LLOYD M. BENTSEN, JR., Democrat, of Texas, member of a prominent valley farming family, took the floor in Congress to demand a full-dress investigation of a report that border patrolmen called at a house in Mission and questioned the occupants "without a search warrant."

SOCIAL-SECURITY CARDS ISSUED

Communities have become so accustomed to "wetbackism" that in the leading wetback areas of Texas, Dr. Lyle Saunders, University of New Mexico sociologist, recently reported, after extensive first-hand study of conditions, "almost anyone who needs help of any kind will hire a wetback—farmers, contractors, businessmen, housewives, city governments, county governments, and even the International Boundary Commission." In this Texas does not differ substantially from the wetback areas of Arizona, California, and other Western States.

On the hallowed bureaucratic principle of the left hand's not knowing what the right hand is doing, while the Immigration Service struggles with the wetback influx, the Social Security Administration freely issues cards to wetbacks on which they have little chance of collecting benefits, but which are handy for pseudo-identification. Wetbacks get draft board cards for the same purpose, giving worthless addresses. State employment offices in many places—quasi-Federal agencies—refer wetbacks to employment opportunities right along with citizens.

A leading California labor contractor, asked by the President's Commission on Migratory Labor where he located the wetbacks in which he admittedly trafficked, replied blandly: "From the State Employment Service."

The notion that wetback labor is both proper and indispensable has become so firmly implanted in Southwestern communities that its accompanying evils are taken as a matter of course.

WETBACKS LINKED TO CRIME

The (lower Rio Grande) Valley Express last March quoted District Attorney Jack Ross of Edinburg, Tex., as saying that in the previous year as much as 75 percent of the convictions in certain major crime categories had been against wetbacks, and that since the

stepped-up drive against them crime generally had dropped off 50 percent. The newspaper added, without comment, that local police in several valley cities reported such petty crime as pilfering and drunkenness had dropped sharply.

About the same time the San Benito (Tex.) News reported blandly: "It was quite a week-end in San Benito. Only a few habitual drunks got into jail. The roundup of wetbacks may worry San Benito district farmers and cut down receipts of beer joints, but it is a blessing to local police. 'No petty thefts, few fights, no burglaries, and everything peaceful with most of the wetbacks gone, at least for a time,' is the police view."

Sheriff Robert Ware, of Imperial County, California's leading wetback area, asked by this correspondent if wetbacks constituted any particular law-enforcement problem, said, "No, they don't give us much trouble. They're mostly quiet, law-abiding people who just want work." A few minutes later he acknowledged that of 185 inmates in the county jail, he estimated 25 percent were wetbacks.

The public record offers extensive evidence of tacit or active Federal sanction of the wetback traffic all the way from the border patrol to the White House level.

ARREST TRENDS ANALYZED

Some responsible regional observers have noted a curious inverse correlation between the rate of the border patrol's apprehensions, which vary widely seasonally, and local demands for wetback labor. One way or another, these sources suggest, the border patrol functions less as a law-enforcement agency than a checkvalve, restricting illegal immigration to the level of active public alarm. No corruption of border-patrol officers is implied. It is just, these observers explain, that after apprehension activities have gone so far, as in last year's special Rio Grande campaign, pressures, public and private, build up to dampen the border patrol's ardor.

Some immigration officers deny this, contending that they consistently and conscientiously do as well as they can with skimpy resources to stem the wetback tide, and that fluctuating apprehensions simply reflect fluctuations in the over-all wetback migration rate.

Other officers differ. One after another testified before the President's Commission on Migratory Labor that the border patrol was subject constantly to invisible but emphatic pressure exerted from farm quarters through Washington and relayed through Immigration Service channels, to go easy on the wetback round-up.

This was epitomized in the testimony of the late Grover C. Wilmoth, veteran director of the El Paso immigration district. He said: "All we need is a go-ahead signal and we can enforce the law 90 to 95 percent. With a little additional men and equipment we could do an efficient enforcement job. It's a disgrace to this country that her laws are openly flouted and evaded. The farmers once were ashamed of using wetbacks. Now they have come to the point where they believe they have a vested right in these illegal workers. They go to their Senators, their Congressmen, the Attorney General, or the President to complain."

It was in Mr. Wilmoth's district, during the 1948 Presidential campaign, that there occurred the notorious "El Paso tea party." The supply of Mexican labor had not been sufficient to satisfy farmers of the area.

As reported by Art Leibson, of the El Paso Times, "When President Truman came to El Paso for a campaign address the problem was laid before him by cotton men and by Texas and New Mexico Congressmen. Soon after his train moved east through Texas

there was a meeting of top immigration officials at El Paso." What went on behind the scenes is still a matter of equivocal explanation by immigration officials. What happened openly was that—in outright violation of United States commitments, according to the subsequent protest of the Mexican Government—border-patrol officers turned their backs for 48 hours while some 7,500 "wetbacks" streamed across the river unhindered to fill the farmers' wants.

A similarly questionable incident occurred only a month ago in California. Some ranchers rounded up one-hundred-odd wetbacks some 30 miles north of the border and took them in chartered buses to the immigration station at Calexico. The ranchers and the border patrol were in the midst of a still mysterious proceeding evidently aimed at legitimizing these workers for transportation to ranches in the north, when representatives of the National Farm Labor Union, AFL, intervened and protested to the local Mexican consul that the law was being violated. Although the district headquarters of the Immigration Service still contends that the proceeding was in full compliance with regulations, the union's protest had sufficient validity so that the operation was halted and the wetbacks returned to Mexico.

AGREEMENT CALLED A TRAVESTY

The most conspicuous official hypocrisy regarding wetbacks has been that surrounding the United States-Mexico Farm Labor Agreement of 1949, one of the periodical extensions of which is now before Congress. The professed aim of this agreement was to eliminate the wetback traffic by providing for the recruitment of Mexican farm labor below the border and its orderly importation into the United States for maximum work periods of 1 year where real shortages of domestic labor were duly certified by the United States Employment Service.

After 18 months of its operation, however, many close observers feel that the agreement manifestly has worked out as a travesty on this intent.

The agreement opened with a solemn declaration of representatives of the United States State Department and the Mexican Foreign Ministry deploring the wetback traffic of Mexican workers, which has mounted steadily and no appreciable steps have been taken to reinforce the border patrol.

The agreement then offered an incentive to border-jumping by providing the wetbacks should have preference in hiring under the contract system. Such priority was limited to wetbacks in the United States at that time, but this deadline for absolution from law violation has been extended over and over. Last summer the legalization of wetbacks in the United States before July 26 was authorized. When this did not produce enough cheap Mexican labor, the preference was extended to all wetbacks in the country before October 20.

CROSS BORDER IN RITUAL

Of the first 98,000 laborers contracted under the agreement in the fall of 1949, 78,000, by acknowledgment of the Department of Labor's Bureau of Employment Security, were wetbacks who were legalized.

Nominally this legalization process consists of the wetbacks voluntarily surrendering and returning to Mexico for subsequent recruiting.

As it works out in practice, the wetbacks are rounded up in the United States and taken to legalization centers on the border, where as part of their processing they go through the formality of momentarily crossing the Mexican line—a ritual that has become known as walking around the statue.

Of 28,000 Mexican contract laborers now in the United States, virtually all were wetbacks legitimized in this way.

Article 6 of the agreement affirmed that Mexican nationals should not be contracted

to work in localities where Mexicans are discriminated against because of their nationality or race. They have been put to work in such localities.

Subsequent articles said Mexican contract labor should be paid the prevailing wage rates for a given area, that this should not be promised on wetback wage scales, and that the contract labor should not displace domestic citizen labor.

These stipulations, if complied with, observers agree, would virtually have precluded contracting since farm wages in key areas of the Southwest are geared to the wetbacks minimal compensation to such a degree that domestic citizen workers by the hundred thousand are frozen out of the market. This was circumstantially corroborated when contract minimums of 40 cents and 60 cents an hour were adopted under the agreement, respectively, for Texas and California, for identical work—reflecting accurately the differing concentrations of wetbacks in the two areas.

The final irony of the agreement was a stipulation that contract workers should not be provided to employers of wetbacks, and that any employer found to have wetbacks should have his contracting privileges withdrawn.

This again, if complied with, virtually would have eliminated key areas of the region, wetback employment is so prevalent.

In one day recently the farm-labor union supplied United States and Mexican officials a list of eight large vegetable ranches in the immediate area of El Centro, Calif., employing wetbacks, the most prominent being the firm of O'Dwyer & Mets, headed by Frank O'Dwyer, brother of William O'Dwyer, United States Ambassador to Mexico. Immigration officers seized 300 wetbacks on that ranch. The union demanded that its contracting right be withdrawn.

Six weeks have elapsed and, as this was written, the regional office of the United States Bureau of Employment Security in San Francisco acknowledged that no action had been taken. It said an inquiry was under way. The first step in the inquiry was a so-called hearing at El Centro of parties in the case.

The hearing was an unannounced private conference on a Sunday night between a lawyer from the Employment Security Bureau and representatives of O'Dwyer & Mets.

When this correspondent sought to interview Mr. O'Dwyer, the latter referred him to Mr. Mets. Asked where Mr. Mets could be seen, Mr. O'Dwyer said, "He's in Washington."

Mr. CHAVEZ, Mr. President, on March 30 the New York Times published an article under the following caption: "Interests conflict on wetback cure—even border police disagree on measures to stem flood of Mexican laborers—Nation's pact is in dispute—unions see a move to cut pay by farmers who oppose United States rule on contracts."

Mr. President, I ask that the entire article be printed in the Record at this point as part of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

INTERESTS CONFLICT ON WETBACK CURE—EVEN BORDER POLICE DISAGREE ON MEASURES TO STEM FLOOD OF MEXICAN LABORERS—NATION'S PACT IS DISPUTED—UNIONS SEE A MOVE TO CUT PAY BY FARMERS WHO OPPOSE UNITED STATES RULE ON CONTRACTS

(This is the last of five articles dealing with the economic and sociological problem of the wetbacks)—Mexican migrant laborers in the southwestern United States.

(By Gladwin Hill)

LOS ANGELES, March 2.—Almost every segment of the Nation's population interested

in the wetback problem has a simple straight-away solution for it.

The trouble is that because of conflicting interests, no group's solution is very satisfactory to anyone else.

Even experienced officers of the United States Immigration and Naturalization Service, targets of a mounting barrage of criticism as illegal crossings of the Mexican border have mounted, are in wide disagreement about the most effective measures.

Some contend that simply augmenting the border patrol's present skimpy facilities—with a nucleus of less than 900 men to guard the 1,600 miles from Texas to the Pacific Coast—might largely stem the tide of upward of 1,000,000 Mexicans who annually cross the line to work for minimal wages and who depress both economic and social standards in the Southwest.

Others contend that it would take a large standing army to make the border impregnable, and that the problem should be tackled from another angle.

Most concur that stiffening the present penalties for illegal entry—up to a year's imprisonment for the first offense and 2 years for a repetition—would be useless against the horde of amiable wetbacks who, by their numbers, overwhelm the facilities for apprehension and prosecution.

THE POLITICAL FACTOR IS CITED

Some think that if the immigration laws could be fixed up logically to make it an offense to employ wetbacks, who are technically fugitives from justice, it would eliminate their chances of getting jobs, and along with that the incentive for sneaking into the country.

Here again immigration officers disagree about the political practicality of such proposals. Some think that southwestern farmers, with their vested interest in cheap wetback labor and their influential lobbies, would surely try to scuttle such steps. One immigration officer of exceptionally long experience, however, said: "They wouldn't dare to oppose it, because that would focus public attention on their system."

Members of Congress, whipsawed between the constant farm pressure for alien labor and the obvious need to do something about the wetback traffic, ratified the 1949 agreement between this Nation and Mexico for the importation of Mexicans under contract. A periodical extension of this agreement is now before Congress.

This agreement has not pleased anybody particularly. By providing for preference in job recruiting to wetbacks already in the United States, it has probably acted as an incentive to border-jumping, which has increased at a rapid rate ever since the agreement became effective.

FARMERS DISLIKE THE PACT

Farmers dislike it for many reasons. Requests for labor to be imported have to be filed 60 days in advance. With the principal southwestern crops of cotton, citrus, and vegetables, it is often difficult to predict precisely so far ahead just how many hands are going to be needed, when, and for how long.

Also, minimum wages—ranging from 40 cents an hour in Texas to 60 cents in California—and housing, insurance, transportation, bonds, and other requirements under the contract system, raise the cost of this labor. In some cases, farmers have averred, actually above the cost of domestic citizen labor.

Farmer objections to transportation costs and complications have brought about the virtual scrapping of the original concept of recruiting labor in the interior of Mexico, where there was a dearth of local employment opportunities, in favor of recruitment right at the border through the legalization of wetbacks.

A return to recruiting south of the border is one of the principal proposals in connection with extending the international agree-

ment, now under debate. Another is for resumption of active participation by the United States Government—as during World War II—in the transportation and allocation of the imported labor and in the handling of certain of the moneys involved.

This is objected to as quasismocialism. There is also palpable concern in farm circles that Government management of alien labor would soon extend to allocation of domestic labor. Such a step, it may be noted, might nullify the traditional contention that "domestic labor is not available," a contention that farmers use to justify the employment of alien labor, legal and illegal.

A "SIMPLE CROSSING-CARD SYSTEM"

In contrast to such proposals, influential farm quarters long have been advocating what they habitually refer to as "a simple crossing card system," but which critics call simply legalized "wetbackism."

Under this system, Mexicans would receive border passes to circulate in the United States, confined in theory to areas of farm labor shortages, and to work without any of the burdensome guaranties of minimum wages, housing, insurance, and transportation required under the present contracting system.

Organized labor in the United States, as expressed in repeated declarations particularly of the American Federation of Labor and its affiliates, would approach the problem from the other end.

It contends that the agitation in the United States since World War II about obtaining alien labor generally has been an oblique effort to undercut American workers, predicated on illusory "shortages" of domestic labor. These "shortages" are said to result from a refusal to offer adequate wages.

This contention is at least partially corroborated by a recent study at the University of Texas, previously cited in these articles, which concluded that the labor needs of certain key farm areas could, with adequate inducements, be filled entirely from within the State. This is contrasted to the present situation in which wetbacks pour in by the hundred thousands, while domestic workers leave the State regularly in similar numbers to seek more adequate wages elsewhere.

The National Farm Labor Union, the AFL's principal affiliate in the field, contends that domestic-labor shortages should be established by public hearings in the areas in question, instead of by the present unilateral certification by Federal-State employment offices, whose personnel may be subject to local pressure from farmers.

Secondly, the union advocates that the question of what is the prevailing wage for given work in a given area—a critical factor in considerations both of the availability of domestic labor and the terms that should be accorded alien labor—that this wage similarly arrived at in open hearing rather than as now, in the uncertain realm of administrative decisions.

If these two conditions were met, labor maintains, many of the current problems would be dispelled, because underlying them is a simple reluctance to pay adequate wages.

With these conditions met, it is contended, domestic citizen labor would be forthcoming;

and even on the condition, quite foreseeable in the current war emergency, that alien labor were needed, a frank approach to wage and cost economics would eliminate the present haggling and complications that attend the contract system.

From labor and independent observers of the "wetback" problem, including educators, economists, sociologists, and welfare and church agencies, the suggestion also has come that the wage chiseling that underlies the wetback influx might be obliterated by applying Federal minimum wages to agriculture, at least in cotton, which is a Government-subsidized crop around which much of the wetback traffic revolves.

Farmers have long contended that minimum wages in agriculture are unworkable. But a minimum wage has long been in effect, under an exceptional Federal law, for the sugar-beet crop.

Mr. CHAVEZ. Mr. President, the time is getting late. I do not know what the Senator from Arizona has in mind.

The PRESIDING OFFICER (Mr. FERGUSON in the chair). The Chair is sure the Senator from Arizona would be perfectly willing to recess until Monday next at 12 o'clock noon.

Mr. CHAVEZ. I do not know about Monday.

Mr. MCFARLAND. Has the Senator concluded his remarks?

Mr. CHAVEZ. No; I have not quite concluded with my remarks, but I am very tired, and I should like to get away.

THE COST OF LIVING—RELEASES BY THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF LABOR

Mr. AIKEN. Mr. President, I wish to read into the RECORD two United Press dispatches which have come over the news ticker in the cloakroom within less than an hour of each other. The first one reads:

Rising farm and food prices pushed the average wholesale price index up three-tenths of 1 percent in the week ended last Tuesday, the Bureau of Labor Statistics reported.

The index of all commodities stood at 183.6 percent of the base 1929 average—17 percent over the pre-Korea level and 19.2 percent higher than a year ago.

Fuel and chemical prices dipped slightly during the week, and all other commodities were unchanged.

The daily index of sensitive spot market prices rose two-tenths of 1 percent in the 7-day period, with major increases in hog prices—4.7 percent—and sugar prices—3.5 percent. Only barley and flaxseed declined, while steers rose to a new all-time high of \$37.875 per hundredweight.

This statement was released by the Bureau of Labor Statistics. It is undoubtedly intended to convince consumers that rising farm prices alone are responsible for the high cost of living today.

I should like to read the other release, which came over the ticker less than an hour after the first one. It reads:

The Agriculture Department reported that the general level of farm prices dropped less than 1 percent during the month ending April 15.

Lower prices for truck crops and dairy products accounted for most of the decline.

It was the second consecutive month in which farm prices declined since a record high was established in February. Last month farm prices recorded a 1-percent drop to halt an upward spiral which started shortly before outbreak of the Korean War.

The April price slump reduced to about 30 percent total price gains for farm products since January 1950. April 15 prices stood at 309 percent of the 1910-14 base period. The record high of February 15, 1951, was 313 percent of the base period.

Meanwhile, the cost of commodities the farmer buys rose about 1½ percent during the month to reach a new high.

The increase was mainly the result of higher wage rates farmers were paying for labor and increases in the cost of some production items such as livestock and seed.

Mr. President, within an hour of each other we have two releases from the same administration, one putting all the blame for the increased cost of living on the farmer, the other one saying that farm prices are declining and that the farmer is paying all-time high prices for what he is buying, thus putting the blame on other factors. The two contradictory releases lead me to wonder whether we can believe any statement at all coming from our Government in relation to the cost of living.

Each of the statements is made up to serve a particular purpose. Between them I suppose they are intended to assure the American people, whether consumers or producers, that the administration is with them. It appears to me to be a very ridiculous proceeding, particularly in view of the fact that the news items came over the ticker less than an hour apart.

RECESS TO MONDAY

Mr. MCFARLAND. Mr. President, I move that the Senate stand in recess until 12 o'clock noon on Monday next.

Mr. CHAVEZ. Of course, it is understood that I will have the floor on Monday.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to; and (at 6 o'clock and 7 minutes p. m.) the Senate took a recess until Monday, April 30, 1951, at 12 o'clock meridian.

DIGEST
OF
CONGRESSIONAL PROCEEDINGS
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Division of Legislative Reports
(For Department staff only)

Issued May 1, 1951
For actions of Apr. 30, 1951
32nd-st, No. 77

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HIGHLIGHTS: Senate committee reported 3rd supplemental appropriation bill. Senate debated farm-labor bill. Sen. Humphrey urged passage of India-aid bill. Senate confirmed Symington nomination to RFC.

SENATE

1. ~~THIRD SUPPLEMENTAL APPROPRIATION BILL, 1951. The Appropriations Committee reported with amendments this bill, H. R. 3587 (S. Rept. 302)(p. 4613). The Committee restored the forest-post control item in an amount of \$345,000 (Budget estimate was \$370,000), increased forest-development roads from \$3,000,000 to the Budget estimate of \$5,800,000, decreased defense production from \$33,029,000 to \$27,331,895, deleted the proviso stating that \$1,834,000 may be transferred from various agencies for defense production, and amended the preceding proviso by making various agencies' appropriations available "by transfer or otherwise" for defense-production activities.~~
2. FARM LABOR. Continued debate on S. 984, to provide for recruitment and importation of Mexican farm laborers (pp. 4620-36, 4662-3).
3. INDIA AID. Sen. Humphrey urged immediate passage of legislation to provide for shipment of grain to India, saying delay plays into the hands of the Communists (p. 4620).
4. RECONSTRUCTION FINANCE CORPORATION. Confirmed the nomination of W. Stuart Symington to be RFC Administrator (p. 4650).
Sen. Byrd inserted Herbert Hoover's testimony favoring abolition of RFC (pp. 4614-18).
5. PRICE CONTROL. Sen. Thye inserted a letter from the Minn. Livestock Breeders' Ass'n opposing price control on livestock and meat (p. 4614).

HOUSE

6. DEFENSE APPROPRIATIONS. Received the President's estimates for the Department of Defense, 1952, totaling about \$60 billion; to Appropriations Committee (H. Doc. 120)(p. 4676).

7. **INDEPENDENT OFFICES APPROPRIATION BILL.** This bill (see Digest 76) is H. R. 3880 (H. Rept. 384)(p. 4676).
8. **LEGISLATIVE PROGRAM.** It was agreed to call the Consent and Private Calendars today, May 1 (p. 4669). Recessed early yesterday in memory of the late Rep. Buchanan.
9. **TOBACCO.** The House Agriculture Committee has issued the following announcement:
"Appointment of an informal committee composed of Representatives and Senators to investigate dwindling exports of American tobacco under the ECA program was announced today by Representative Harold D. Cooley, Chairman of the House Committee on Agriculture."
"The Committee is composed of Senator Earle C. Clements, Kentucky, and Senator Clyde R. Hoey, North Carolina, and Representatives Harold D. Cooley, North Carolina; Pat Sutton, Tennessee; Watkins M. Albitt, Virginia; W. H. Wheeler, Georgia; John L. McMillan, South Carolina; and Thurmond Chatham, North Carolina."
"After hearing reports on dwindling tobacco exports, particularly to Western Germany, from officials of the ECA, Department of Agriculture, and independent observers who have visited Europe recently, the group voted unanimously to request Chairman Cooley to head up a committee to look further into the matter and to take such action as their investigation disclosed to be necessary."
"Congressman Cooley said that he would call the committee together for a meeting next week (the week of May 1)."
"Reports of those familiar with the tobacco export picture indicate that exports to Western Germany have decreased sharply in the past year and in addition, Germany has entered into bilateral trade agreements with certain countries toward the import of greater quantities of oriental types of tobacco into that country. Surveys indicate that German tobacco users, who have always consumed considerable quantities of American tobacco have a definite preference for blends made from United States products over those using predominantly tobacco from other areas. Representatives of producers and the tobacco trade feel that they are being discriminated against by virtue of these agreements. They are not asking for any special advantage but they do seek fair treatment so that American tobacco can compete on equal terms with tobacco produced elsewhere."

BILLS INTRODUCED

10. **PERSONNEL.** H. R. 3886, by Rep. Multer, N. Y., to increase the salaries of Federal judges and the compensation of Members of Congress, and heads and assistant heads of executive departments and independent agencies; to Judiciary Committee (p. 4676).
11. **FOOD.** H. R. 3885, by Rep. McMillan, S. C., to establish a department of food services in the public schools of the District of Columbia; to District of Columbia Committee (p. 4676).
12. **TAXES; EXPENDITURES.** H. J. Res. 245, by Rep. Curtis, Neb., to "limit the taxing and spending powers of the Congress"; to Judiciary Committee (p. 4676).

have received endorsement and support in congressional and financial circles, as well as by the general public.

GOVERNMENT LENDING INCONSISTENT WITH ANTI-INFLATIONARY PROGRAM

The Government is obviously very inconsistent when it acts to balance the Federal budget and restrain credit expansion to prevent inflation, while at the same time continuing in force and effect lending activities of Government agencies such as the RFC. There is no logical justification for restricting the flow of good private credit, and at the same time permitting and encouraging the granting of unjustified and unsound loans by Government agencies to the private economy.

We must recognize that the conditions under which the RFC came into existence were very different from those prevailing at the present time. It was established in the depths of the greatest economic depression in our history for the purpose of providing emergency financial assistance to banks and other financial institutions. Subsequently, its authority was broadened to include loans to nonfinancial business concerns under certain conditions. Because there were many weaknesses in our economic system in the early thirties, no one seriously questioned the need for a temporary Government agency designed to assist the country in an economic emergency which was forcing all financial institutions, as a matter of self-preservation, to liquidate all outstanding credits.

We have long since recognized and corrected many of the weaknesses that brought about our economic collapse in the thirties. We have greatly strengthened our commercial banking system and provided for insurance of bank deposits; we have provided for regulation and supervision of security flotations and the operation of the organized securities exchanges; and the Government has recognized by statute its obligation to assist in the maintenance of maximum employment and has provided extensive social security for a large number of the people. In addition, we have improved our techniques and gained valuable experience in the use of monetary, credit, and fiscal policies for purposes of achieving and maintaining economic stability. For these and other reasons, the necessity for continuing the RFC as an emergency financial institution no longer exists.

The problems confronting the country today are the very opposite of those which confronted the country when the RFC was first established. In our present situation, the operations of the RFC, as well as those of FNMA, in continuing to put additional funds into the spending stream only intensify the already difficult problem of curbing credit expansion. Having long since outlived its usefulness to the economy, the RFC should be abolished without further delay.

NO NEED FOR DIRECT GOVERNMENT FINANCING

There is no real place in a private enterprise economy for direct Government lending to the private economy any more than there is a place for direct Government ownership of the means of production. Government participation in either activity is socialistic in nature and will, if continued and expanded, weaken and ultimately destroy the private free enterprise system. The Government's function is to regulate and supervise the activities of private enterprise in the public interest, and not to own and operate tax-free financing or production organizations in competition with those that are privately owned and operated and are taxed. We might feel differently about the RFC if our private financing facilities and resources were unable to provide the credit required to utilize as fully as possible the labor and materials available in the economy. But such is not the case at the present time.

There are located throughout the United States more than 14,000 commercial banks, over 600 life-insurance companies, more than 500 mutual savings banks, and nearly 6,000 savings and loan associations. In addition, there are numerous mortgage companies, sales finance companies, industrial loan associations, and other financing institutions. Each and every one of them, operating with funds obtained from private sources and in competition with numerous other institutions, is engaged in extending credit, in accordance with self-surviving and profit motive lending and investment policies, to meet all of the legitimate needs of a private enterprise economy. The very fact that these financing institutions are competitive and derive their earnings from the loans and investments which they make is in itself an assurance that the necessary credit requirements of the economy are being, and will continue to be, met. The combined resources at the disposal of these institutions are enormous; as of December 31, 1950, the commercial banks, life-insurance companies, mutual savings banks, and savings and loan associations alone held over \$290,000,000,000 of loans, investments, and other assets, and they are adding billions of dollars to these assets every year.

To continue the existence of the RFC in competition with our private financing institutions is completely indefensible if we really believe in our private-enterprise economy. This is because the RFC's only source of funds is the Federal Treasury, while the Treasury's only source of funds is the private economy through tax collections or by borrowing to meet a budgetary deficit. Using these funds to make loans that cannot be secured in a free market means in effect that the RFC is employing funds obtained from the entire public in making questionable loans for the benefit of a select few. It is obviously unfair for the Government to subsidize with credit those business concerns which cannot stand on their own feet, but, nevertheless, are competing for sales and profits with concerns that have to obtain the funds they use in the private market. In other words, privately financed business concerns are called upon to provide indirectly through the Government part of the funds used by their competitors who receive RFC loans.

As the Government does not own the business enterprises which it finances by means of direct or guaranteed loans, any profits from their operations accrue to the private owners. But if the loan eventually proves to be a loss, either in part or in whole, the Government, and ultimately the taxpayer, suffers the amount of such loss. There have been conspicuous examples of borrowers from RFC who made great profits through the use of the taxpayers' money, as well as of borrowers who incurred substantial losses at the expense of the taxpayers. If we are going to be socialistic in some of our economic activities, it had better be by going into business directly where the profits, as well as the losses, accrue to the taxpayer, instead of indirectly through providing unjustified credit where only the losses accrue to the taxpayer. I am vigorously opposed to either form of socialization.

The RFC obtains its funds without cost from the taxpayer and pays no taxes of any kind on its operations, while privately owned and operated financing institutions must raise their capital in the private market and pay in interest and dividends whatever is required. They must also pay their share of local as well as Federal taxes. Quite obviously, a company operating with an abundance of free capital on a tax-free basis during a period of inflation can make its earnings appear to be much better than a careful analysis of the facts would warrant.

Perhaps the argument most frequently heard in support of the RFC's continuance

is the aid which it provides to small businesses, which presumably are unable to obtain financial assistance from any other source. However, if we examine the reports of the RFC, we find that, while the number of loans made to small business is large, the dollar volume of such loans is small relative to the total amount of loans granted or outstanding. In other words, the bulk of the funds loaned by RFC have gone to large rather than small businesses. Moreover, it is the considered opinion of experts in the field of small-business financing that what small businesses need primarily is managerial and technical assistance rather than more money. To encourage inefficient utilization of financial resources by small business is wasteful, extravagant, and in the end unproductive. The RFC does not have the specialized facilities required to provide adequate managerial and technical assistance to small business, and it should be left to private enterprise to develop them, as well as to supply whatever capital and credit are needed, especially under present conditions.

RFC LENDING SUBJECT TO POLITICAL PRESSURE

One of the most striking facts brought to light during the recent investigation of the RFC is the extent to which its lending activities have been subject to political influence. The RFC is designated to make or guarantee loans to credit-worthy borrowers who cannot secure credit on reasonable terms from customary sources. Under this arrangement heavy political pressures have been brought to bear by and on behalf of borrowers who expect to benefit from the credit. The problems of a public lending agency, as compared with a private one, are immeasurably increased by such pressures. If only sound and justifiable loans were granted, there would be great criticisms of the RFC by the would-be borrowers and their political representatives. If it does grant questionable loans in response to political requirements, then, as the recent investigation has shown, it will be bitterly criticized by the public. So long as there is a Government lending agency like the RFC there will be great and undeniable demand for unsound and unjustified credit. This will put all Members of Congress under more or less political pressure to assist applicants in receiving such credit. I should think in these circumstances Members of Congress would be the first ones to want to liquidate the RFC and be relieved of the pressures which only add to their responsibilities and can serve no useful public purpose.

Aside from the economic considerations which I have enumerated there are strong collateral reasons for abolishing the RFC. It has already been demonstrated that where a Government agency has wide discretion in loaning large amounts of funds to the voting public, its ethical and moral standards deteriorate over a period of time as a result of inevitable political pressures. This has the unfortunate effect of tending to destroy the confidence of the people in their Government.

CREDIT FOR DEFENSE PURPOSES

In letting defense contracts, priority should be given to those prime contractors or subcontractors who have the necessary skill, productive facilities, and financial resources. However, it may be found necessary, as in World War II, to facilitate defense production by giving some contracts to those who do not have adequate financial resources and cannot obtain them from private financing institutions. In such cases, some Government help may be essential, but it should be provided in the form of a Government guaranty of private credit and not by a direct Government loan. Such guaranties would be most effectively handled under a single program, such as that authorized by the Defense Production Act of 1950. This provides for guaranty of loans by eight agencies engaged in defense activities, using the

Federal Reserve banks as fiscal agencies in arranging the guaranties. This is the same as the Regulation V program which was used so effectively in World War II. Under this regulation the Federal Reserve banks and their branches throughout the country gained extensive experience in authorizing guaranties on 8,800 loans, amounting to over \$10,000,000,000. The net result of the V-loan operation was a net profit of \$24,000,000,000 from the loan guaranty fees charged, after deducting all expenses and losses.

Under the V-loan program, a defense contractor or subcontractor engaged in defense production who is unable to obtain the necessary credit may apply for a guaranteed loan to his local bank or other private financing institution. The local Federal Reserve banks, acting as fiscal agents for those Government agencies which are loan guarantors, review and recommend action to be taken on loan applications. Upon approval by the guaranteeing agency, the private banks advance the full amount of the loan and a fee is paid covering the guaranteed portion of the loan. The guarantee fee ranges from 10 to 40 percent of the interest rate on the loan, depending upon the percentage of the loan guaranteed. In practically every case the banks carry 10 percent or more of the loan without a guarantee. Not only is the financing decentralized, but the local banks have a real interest in the loan and can be depended upon to give it necessary supervision. The requirement of approval by the guaranteeing agency assures that credit extension is being concentrated in those industries essential to the defense effort.

The existence of the V-loan program to provide essential defense credit makes unnecessary the continued existence of the RFC for this purpose. This is particularly true at a time when heavy inflationary pressures require the diversion of working capital and credit from non-defense to defense purposes as goods and labor are transferred, rather than try to super-impose defense credit on top of the existing volume of outstanding credit.

In conclusion, I should like to say that the evidence, both from an economic and a political standpoint, strongly supports the view that the liquidation of the RFC is long overdue.

TRIBUTE TO THE LATE SENATOR VANDENBERG BY REV. EDWARD A. THOMPSON

Mr. MOODY. Mr. President, I ask unanimous consent to place in the Record the eloquent tribute paid to the late great senior Senator from Michigan, Arthur H. Vandenberg, at his funeral services by his pastor and close friend of many years, the Reverend Edward Archibald Thompson, D. D. Dr. Thompson was speaking from the pulpit given by Senator Vandenberg in honor of his mother to the church he and his family had attended for more than 50 years, the First Congregational Church in Grand Rapids.

This was a remarkable appraisal of a remarkable man, Mr. President, and I ask that it be printed in the Record.

There being no objection, the tribute was ordered to be printed in the Record, as follows:

We have gathered today to pay tribute to one to whom tribute is due. It is not my purpose to eulogize our beloved fellow citizen. That has already been superbly done. I shall speak more specifically about his interests in the things of the spirit.

The text from which I shall speak contains the words of a motto which stood upon Senator Vandenberg's desk even before

he entered into public life and has remained there ever since. "This, too, shall pass." The words are taken from an ancient Arabic or Persian saying, "This, too, shall pass away," which was used through the centuries to remind people that neither great moments of triumph nor sorrow are lasting.

"This, too, shall pass" was a comforting thought to Senator Vandenberg in time of affliction or disappointment. It gave him faith to meet buoyantly the discouraging experiences of life. Again, when he was on the mountain peak of success, victory, and power (as often he was) a glance at this motto had a sobering influence and a leveling effect. Senator Vandenberg was not a fatalist. He lived triumphantly in the unflinching belief that there are eternal values in the spiritual things of life.

In a letter written to a friend 2 months ago he said: "The spiritual values of life come surging to the fore. I have a little prayer meeting all by myself each night. What the whole world needs is more confidence and faith."

This pulpit from which I now speak was the gift of Senator Vandenberg in memory of his mother. The altar and furnishings for the new and yet incomplete chapel were also given by Senator Vandenberg in memory of his mother. This gift represents the financial portion of his second Collier award for distinguished service in the Senate of the United States. In presenting this memorial he said: "I get a great deal of prideful happiness out of this gift to Park Church. It is a source of continuing joy to me that I have been able to make my contribution to the new facilities of this grand old church, which has been so close to my life and to that of my family."

When asked to participate in the service of dedication for our new chapel, he replied on February 8: "I certainly shall be delighted to send you a message for the dedication which will underscore my deep feeling that our America must turn to its spiritual values in greater degree than ever before as we surmount the crisis which surrounds us."

We are greatly saddened in the fact that he will be unable to be with us in person for that dedication 2 weeks hence, but it is sadly fitting that we were able to use the chapel for the first time this morning in his honor.

Senator Vandenberg had a profound belief in immortality. "This, too, shall pass." This body has passed. If this were the final chapter, it would indeed be a dismal day. But death is not an end. It is but a turn in the road of life when we are free from the shackles of the physical—free to grow and to be that which we yearn to be at our best. "Be ye perfect even as your Father in heaven is perfect" is no idle command. Somehow, somewhere we shall attain unto our highest ideals and noblest aspirations.

There was a time when I wondered why the Great Creator didn't reestablish the life of a great soul like that of our good friend in a young and vigorous body, where the value of accumulated knowledge and vital experiences could be used to great advantage in the progress of mankind. I do not feel that way now. The physical shall pass away. The temporal is seen, but the eternal is unseen. The great God who will not allow any energy to be lost certainly will not allow the crown of His creation to pass into oblivion.

We have faith that this ripe and powerful life shall have a vehicle of expression far more effective and more capable of growth into perfect fellowship with God and with his fellowmen, which is clearly the purpose of life. We mourn the passing of our great leader and friend but we rejoice in the new and greater realm into which he has now entered.

Our Lord's body passed away when He was but a young man, yet He lives today in the

lives of millions of men and women the world over who have found life through Him.

Senator Vandenberg was more concerned about the principles of peace and understanding for which he was fighting than he was about his own health. He knew that those principles could not die and he will continue to live increasingly as the truth of his teachings becomes more clear. Let us pay worthy tribute to him today by rededicating our lives to those principles of peace for which he sacrificed so much. May God raise up men of his high vision, broad understanding, and sturdy character to carry forward the work in which he gave his life.

We are asking the choir to sing "Onward Christian Soldiers" at the conclusion of this service. That triumphant, courageous, marching hymn was one of the Senator's favorites and is so typical of his spirit.

We here give hearty thanks to Almighty God that we have been permitted to have in our midst as a guiding light and an inspiring spirit, this matchless statesman, this wise counselor, this mighty crusader for peace, this patriotic citizen, this loving husband and father, this unflinching friend, this prince among men, Arthur Hendrick Vandenberg.

WELCOME TO REPRESENTATIVES OF THE WORLD ASSEMBLY FOR MORAL REARMAMENT

Mr. MOODY. Mr. President, on the day before my appointment to the Senate, the Members of the Michigan delegation in Congress issued a statement of welcome to the nations of the world which are sending representatives to the World Assembly for the Moral Rearmament of the Nations to be held at the Grand Hotel, Mackinac Island, June 1-12, 1951.

I am delighted to make it unanimous by adding my own warm support to this welcome.

CORRECTION OF THE RECORD

Mr. CHAVEZ. Mr. President, before the Chair recognizes the Senator from Arizona, I should like to make a correction for the permanent Record.

On April 27 I addressed this body on the farm bill, and my statement appears on page 4592 of the Record of that date. The following language was printed:

In 1868, through legislation enacted by the Congress of the United States, New Mexico legalized peonage.

The word "legalized" should have been "outlawed."

I ask that the Record be corrected.

The PRESIDING OFFICER. The correction will be made.

SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO

The PRESIDENT pro tempore. If there is no further routine business, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 984) to amend the Agricultural Act of 1949.

The PRESIDENT pro tempore. The Senator from New Mexico has the floor.

Mr. WHERRY. Mr. President, will the distinguished Senator from New Mexico yield?

Mr. CHAVEZ. I yield for a question.

Mr. WHERRY. Mr. President, It seems to be that we are considering a very important piece of legislation. I have listened with great interest to the arguments presented by the distin-

guished Senator from New Mexico. I believe it is very important that Senators be on the floor to listen to the presentation of both sides of the issue, and I am wondering whether the distinguished Senator from New Mexico would yield for the purpose of having a quorum call.

Mr. CHAVEZ. I may say to my very good friend from Nebraska that I believe he is correct. There is not a piece of legislation before us which is more important to the American people than the pending bill. For that reason I shall be very glad to yield for a quorum call, provided that I thereby do not lose the floor.

Mr. WHERRY. Mr. President, without prejudicing the rights of the Senator from New Mexico, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Hendrickson	Moody
Anderson	Hennings	Morse
Bennett	Hickenlooper	Mundt
Benton	Hill	Murray
Brewster	Hoey	Neely
Bricker	Holland	Nixon
Bridges	Humphrey	O'Connor
Butler, Md.	Hunt	O'Mahoney
Butler, Nebr.	Ives	Pastore
Byrd	Jenner	Robertson
Cain	Johnson, Colo.	Russell
Capehart	Johnson, Tex.	Saltonstall
Carlson	Johnston, S. C.	Schoeppel
Case	Kefauver	Smathers
Chavez	Kem	Smith, Maine
Clements	Kerr	Smith, N. J.
Connally	Kilgore	Smith, N. C.
Cordon	Knowland	Sparkman
Dirksen	Lodge	Stennis
Douglas	Long	Taft
Duff	McCarran	Thye
Dworschak	McClellan	Tobey
Ecton	McFarland	Underwood
Ellender	McKellar	Watkins
Ferguson	McMahon	Wherry
Frear	Malone	Wiley
Fulbright	Martin	Williams
Gillette	Maybank	Young
Green	Millikin	
Hayden	Monroney	

Mr. JOHNSON of Texas. I announce that the Senator from Mississippi [Mr. EASTLAND] is absent on official business.

The Senator from Georgia [Mr. GEORGE] is necessarily absent.

The Senator from New York [Mr. LEHMAN] is absent by leave of the Senate on official business, having been appointed a member of the United States delegation to the World Health Organization, which will meet in Geneva, Switzerland.

The Senator from Washington [Mr. MAGNUSON] is absent by leave of the Senate on official committee business.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. FLANDERS] is absent by leave of the Senate.

The Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate on official committee business.

The Senator from Idaho [Mr. WELKER] is absent on official business.

The Senator from Wisconsin [Mr. McCARTHY] is necessarily absent.

The PRESIDENT pro tempore. A quorum is present.

Mr. KERR. Mr. President, will the Senator from New Mexico yield to me for 1 minute?

The PRESIDENT pro tempore. Does the Senator from New Mexico yield to the Senator from Oklahoma?

Mr. CHAVEZ. Mr. President, reserving the right to yield or not to yield, I should like to make a short statement before I proceed. I should like to accommodate all my friends in the Senate. I should like to accommodate each and every Senator who asks me to yield. But in my opinion the bill we are now considering affects basic rights of the American people, and I think we should proceed with it, obtain as much enlightenment on it as possible, and have the Senate pass judgment on the amendments and on the bill itself. Hence, it is my purpose to try to conclude as early as possible. I will, however, yield to any Senator provided he limits himself, as my good friend the Senator from Oklahoma suggests he will, to 1 minute. I shall not yield for speeches of 3 minutes, 5 minutes, or 6 minutes. I shall yield to Senators for insertions in the RECORD with the understanding that I do not thereby lose the floor. I shall yield for any reasonable purpose. I do not think there is anything this body can discuss which is of more importance than the pending bill. Therefore, I do not intend to yield to any Senator to make a speech or to discuss other questions.

Mr. WHERRY. Mr. President, will the Senator yield to me for one question?

Mr. CHAVEZ. Yes.

Mr. WHERRY. I thank the distinguished Senator for his statement. I agree with him implicitly that we should focus upon the bill before us, direct our attention to it, amend it and pass it or vote it down. I think the Senator from New Mexico has been very patient during the past 3 or 4 days.

Mr. President, I made a statement to a colleague of mine that I would do everything I could to see that he obtained 10 minutes of time before the bill was taken up today. At the time I made that statement I had completely forgotten that the distinguished senior Senator from New Mexico retained the floor when the Senate recessed until today. I helped the Senator from New Mexico obtain the floor, and I wonder if he can possibly make one exception, to permit the Senator to whom I am referring to speak for 10 minutes?

Mr. CHAVEZ. I should like to comply with the request of the good Senator from Nebraska, but I remind him that the other day a Senator also requested 10 minutes to speak, and he spoke for 1 hour and 45 minutes.

Mr. WHERRY. The Senator I have in mind would not do anything like that.

Mr. CHAVEZ. I will guarantee that such a thing will not happen.

Mr. President, I wish to thank my good friend, the senior Senator from Michigan [Mr. FERGUSON], who now is leaving the Chamber. On Friday, at the time when the Senate took a recess until today, the Senator from Michigan was presiding, and at that time he recognized me, so that I might have the floor and be able to continue with my presentation of the pending bill when the Senate convened today.

THE MACARTHUR OUSTER

Mr. KERR. Mr. President, will the Senator yield to me for 1 minute?

Mr. CHAVEZ. I yield for 1 minute to the Senator from Oklahoma.

Mr. KERR. I thank the Senator from New Mexico very much.

The PRESIDENT pro tempore. The Senator from Oklahoma is recognized for 1 minute.

Mr. CHAVEZ. I yield for that length of time, provided it is understood that I shall not lose the floor by so doing.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KERR. Mr. President, one of the great, historic, and most cherished documents in our language is the Declaration of Independence. In justification of their determination to create a new government to protect their liberty and freedom, its authors listed their bill of particulars and complaints against the cruel dictatorship of King George III.

One of their complaints reads as follows:

He has affected to render the military independent of and superior to the civil power.

The authors of that declaration, Mr. President, were keenly aware that their liberties could never be secure except as the civil authority, elected by the people, had complete control over the military. Today it is just as important to preserve that principle as it was then to establish it.

Mr. President, at this point I request unanimous consent that there may appear as a part of my remarks an editorial entitled "The MacArthur Ouster," which appeared in the April 21, 1951, issue of the magazine America, the National Catholic Weekly Review.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE MACARTHUR OUSTER

From almost any angle you look at it, the storm now swirling around General MacArthur is deplorable. What remains of our national unity is in danger of being destroyed by the supercharged lightning flashes of emotion generated by personal and political partisanship. We discern but one hopeful ray in the lightning-riven clouds: if the controversy can be brought under control and carried on calmly on the basis of the issues involved, it may become the last Great Debate on United States foreign policy.

The one Herbert Hoover touched off 6 months ago, apparently settled by the Senate's troops-to-Europe resolution of April 4, dealt largely with our policy for Europe. Our far-eastern policy, or lack of it, was not formally debated in the Senate. The MacArthur incident, for better or worse, has made such a discussion inevitable. We can only hope that it will be productive of a renewed national unity.

Already, as Walter Lippmann observed in the curious case of Senator TAFT, there is confusion as to what General MacArthur meant in his now celebrated letter to Congressman MARTIN. The general, as the columnist pointed out, wanted more than permission to bomb Red China's Manchurian bases and to use the Formosa forces of Chiang Kai-shek against the Chinese mainland. The general wanted permission to wage all-out war against China. Contending that the global conflict with communism

has already begun, the general argued that it could be won by defeating Red China. The way to save Europe, he wrote in effect, is to defeat communism in Asia.

That involves an almost complete reversal of our present policy. The United States and its allies have long since decided to concentrate on Europe while diverting the necessary minimum to prevent a Communist sweep in Asia. The fundamental issue is therefore clear-cut. Shall the United States abandon its present efforts to safeguard Europe and devote its resources chiefly to a full-scale war with Red China?

Those who join General MacArthur in an affirmative answer to this fateful question should not overlook these considerations:

1. If we decide to join the issue in Asia, we shall have to go it alone—our Atlantic allies, the Asian-Arab nations, and the Latin-Americans will not support us.

2. Attacking China in the belief that the U. S. S. R. will not come to her aid is not a calculated risk—it is the wildest sort of gamble.

3. Our big strategic bombers, on which we now rely to deter Russia in the west, will be relatively ineffective in China. If we contemplate using them for atomic bombing, let us reflect that such bombing would have little military value, would infuriate all Asia and might invite Russian retaliation. Thus there is no hope of a short and cheap war.

4. Our long-neglected tactical Air Force is still woefully unready for a major conflict.

5. Even if Russia did not intervene in China, she would be powerfully tempted to take over an almost defenseless Europe, including Britain, acquiring thereby tremendous war-making potential.

6. If we tempt Russia into a war for which we are still unprepared offensively, we shall expose our people to destruction, since our home defense system, both military and civil, is pitifully incomplete.

7. As the President emphasized in his address to the Nation on April 11, our present policy is designed to avoid world war III. Though it may fail, it furnishes a hope lacking in the MacArthur approach.

If these considerations are put forcibly to the American people, we believe that the last Great Debate will not be prolonged as its predecessor was, and that our people, finally satisfied that we are on the only course open to us, will then settle down to the supreme task of insuring their security.

Mr. KERR. Mr. President, I thank the Senator from New Mexico very much for yielding the minute to me.

Mr. CHAVEZ. I have been glad to do so. I hope the Senator from Oklahoma will remain in the Chamber for a minute or so longer, before he leaves.

Mr. KERR. I will.

GRAIN FOR INDIA

Mr. HUMPHREY. Mr. President, will the Senator from New Mexico yield long enough to permit me to read into the RECORD a passage from a letter which I have received? It will not take me more than 1 minute to do so.

Mr. CHAVEZ. Very well; I yield for that purpose, provided it is understood that I shall not thereby lose the floor.

The PRESIDENT pro tempore. Without objection, it is so ordered; and the Senator from Minnesota is recognized for 1 minute.

Mr. HUMPHREY. Mr. President, I have in my possession a letter which arrived at my desk recently. The letter is dated April 18, 1951, and comes from Delhi, India, from Bishop J. Waskom

Pickett. I wish to read only one paragraph of the letter:

The effect of the long delay in dealing with the wheat bill is really serious. The original proposal evoked gratitude in every Indian heart, and had action been taken immediately it would have blunted all the efforts the Communists are making to create prejudice and hostility against the United States of America. But we have given the Communists opportunity to organize and to hurt us, and they have used it rather cleverly.

Mr. President, I merely say that the delay in congressional action on the bill to aid the Indian people is playing directly into the hands of the Soviet aggressive system of imperialism. I call upon those who are responsible for the progress of the bill for the aid of the people of India to get it quickly on the floor of both Houses of the Congress, so that it may be acted on very soon. I also call upon the people of the United States, in view of the delay which has occurred in the Congress, to take this matter upon themselves. A short time ago we had something called The Friendship Train to take gifts to Western Europe. I call upon the people of this country to take it into their own hands to have friendship grain—g-r-a-i-n—sent to those who are dying of starvation.

Mr. President, it would be well for Congress to stop dealing with military tactics for a moment and to legislate in the field of humanitarian relationships, the field in which the Congress is properly organized to take action.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Maurer, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. Frank Buchanan, late a Representative from the State of Pennsylvania, and transmitted the resolutions of the House thereon.

SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO

The Senate resumed the consideration of the bill (S. 984) to amend the Agricultural Act of 1949.

Mr. CHAVEZ. Mr. President, I have asked my good friend, the Senator from Oklahoma [Mr. KERR], to wait a little following his statement in which he referred to the Declaration of Independence. Prior to the time when the Senator from Oklahoma made his statement, I saw a copy of it, and I told him that I would yield 1 minute to him for the purpose of presenting his statement, because I intended to use it in opposing the proposed legislation contained in Senate bill 984. So I wish to thank the Senator from Oklahoma for making that statement.

Mr. President, the Declaration of Independence had a real purpose. It is a rather short document, but it tells a great deal:

When in the course of human events—

What were the colonists talking about there? The colonists in America, from Georgia to New Hampshire and Maine, were there referring to the events which were affecting them at the moment. Those colonists were in this country

prior to the Declaration of Independence. Many of them not only fought in 1776, but also took part with the soldiers who fought the French at Louisburg, and there forever drove the French, as a political entity, from Canada.

So, Mr. President, we have the immortal words:

When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

Mr. President, that was in 1776, but we should remember that the political revolution did not begin in that year. So far as the American colonists were concerned, the political revolution began in 1750 or 1760, at least 15 years before the Declaration of Independence was drawn up. Of course, the fighting occurred afterward; but the thinking of John Adams, Samuel Adams, Franklin, Washington, and Jefferson began and continued for a long, long time before the fighting commenced and the Declaration of Independence was drawn up. Mr. President, I love the Declaration of Independence. As a result of that declaration and as a result of the fighting in the Revolutionary War—the actual military operations, which involved considerable loss of life on the part of the American colonists—they formed a new Government and established the Constitution, which today is the law of our land.

Let me read from the preamble of the Constitution, which states its purpose:

We, the people of the United States—

They were talking about the American people, not about people anywhere else; not the people of a foreign country. Much as I like to agree, and do agree, with what the Senator from Minnesota stated as to the desirability of our being kindly and charitable to others, I still think we owe a duty to the people of the United States. What was the purpose and objective of the founding fathers in drawing up the Constitution, Mr. President? It is stated in the preamble of the Constitution as follows—

In order to form a more perfect union, establish justice—

In all kindness, I may say to my good friend who is sponsoring this bill that one of the purposes of the Constitution of the United States to "establish justice" is not being fulfilled by a bill which would give a preference to foreign slave labor as against the American laborer, against American citizens. Is the bill designed to establish justice? How will it establish justice when preference is given to an alien over a citizen of the State of Pennsylvania, for instance, in the field of labor and employment? Under this bill, as described by the Senator from Louisiana, the alien laborer would have an advantage over the domestic laborer. Does that fulfill the purposes of the Constitution?

Another purpose of the Constitution is to "insure domestic tranquillity." There are millions of Americans throughout the United States who are in need of work; yet some employers are so selfish and greedy that they prefer to employ a starving foreigner to employing an American who may have lost a son fighting for his country in Korea or elsewhere.

Another purpose of the Constitution is "to provide for the common defense." In order to provide for the common defense, it is of course necessary to have money, which must be raised by taxes. Who pays the taxes? The American citizen. Under the provisions of the pending bill an alien who came to this country to engage in the work contemplated would not be required to pay taxes. A poor American laborer who may want work would be prohibited from earning a little money with which to enable him to pay taxes.

A further purpose of the Constitution is to "promote the general welfare." I ask Senators who have been kind enough to listen to my remarks, and our guests in the galleries who are listening to me now, how is the general welfare of the United States to be promoted if slave labor, peon labor from another country, is preferred over that of our own citizens?

Another purpose of the Constitution is to "secure the blessings of liberty."

When I began my speech last Friday, I stated that peonage had been nonexistent in my State since 1868. We do not want it to return. The blessings of liberty cannot be secured on the basis of cheap wages paid to slave labor of the type contemplated by the bill.

The preamble to the Constitution concludes: "and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

The Constitution is the law of the land. No matter how charitably inclined we may be, no matter how kind—and we are kindly disposed toward the other peoples of the world, as shown by the fact that we feed hungry peoples of the world—it is unwise and unsound to prevent an American laborer from being employed, even at hard labor, when work is available, and to pass legislation which would give a preference to one particular country as against the other countries of the world.

Yes; the pending bill could be passed within a matter of moments, but I submit it would be an injustice to the American citizen. When I say "the American citizen" let me remind the Senate that the Constitution does not require that an American citizen be of Anglo-Saxon, or Jewish, or Spanish descent. It is a Constitution for all citizens of the United States. That explains one of my objections to the amendment offered by the Senator from New York [Mr. LEHMAN] regarding the citizens of Puerto Rico. Citizens of America include citizens of Puerto Rico; citizens of America include the Indians.

Mr. MARTIN. Mr. President, I wonder whether the distinguished Senator from New Mexico will yield for a com-

ment along the lines of his present discussion.

Mr. CHAVEZ. I yield. In doing so I desire to propound a question to my good friend from Pennsylvania. Everything being equal, if workers are needed on American farms and in American industries, and if American citizens are available to perform the required work, whom does the Senator think should be employed?

Mr. MARTIN. I, of course, agree fully with the position taken by the distinguished Senator from New Mexico, that it is our duty first to see that every American is gainfully employed. If the Senator will permit, a very distinguished former Vice President of the United States, Gen. Charles G. Dawes, passed to his reward last week. The Senator will recall that General Dawes had an important part in the negotiations regarding various matters following World War I, and that, among other things, General Dawes made this statement:

Successful international negotiations must begin with the representatives of each nation having uppermost in mind the interest of their own nations. Along with that there must be the determination to adjust those interests to the common good of all.

But General Dawes, Vice President of the United States, stated that our first consideration should be given to our own nationals.

Mr. CHAVEZ. I thank the Senator. I think that proposition is basic. What citizens are intended to be protected by the oath which we take under the Constitution when we assume office? What citizen is the Constitution designed to protect? It is the American citizen. Last Friday it was stated on the floor of the Senate that we have spent \$120,000,000 in the Republic of Mexico to keep the hoof-and-mouth disease away from our border, for the purpose of protecting our cattle industry. We do not buy beef from the Argentine, though by doing so we might provide 40-cent steaks. Why is that? We abstain from the purchase of Argentine beef in order to protect American commerce. Yet, the pending bill would permit the importation of foreign labor, to be used in preference to American labor.

I referred a few moments ago to the Indians. To me, they are Americans. They are good enough to be allowed to die in Korea while wearing the uniform of the United States; they are good enough to serve as soldiers of the Republic and to be buried in France, Belgium, and Italy, but, under the provisions of the pending bill, even though they might want to work as agricultural laborers, they would be prevented from doing so.

I do not question the integrity of the committee, nor of the sponsors of the bill, but I say Senators are mistaken. If this bill were to pass, it would become a cancerous growth upon our body politic. It would interfere with public health, it would interfere with wages, it would interfere with our whole economy. It would bring back a condition which was done away with by Lincoln, namely, that

of slavery and peonage. The bill should not pass.

I should like to call the attention of the Senate to a telegram I have received from Texas. I regret that my good friend the junior Senator from Texas [Mr. JOHNSON] is not present. I wish all Senators would listen to this telegram. It is from the American GI Forum of Texas Independent Veterans' Organization. I am sure that the junior Senator from Texas knows the person who sent the telegram, which is addressed to me at the United States Senate, from Corpus Christi, Tex., reading as follows:

American GI Forum Veterans Organization, representing more than 50,000 American veterans of Mexican origin, wish to ask you to continue to fight to exclude foreign workers, especially in Texas. Thousands of veterans—

The ones who faced the music, the ones who would have made the supreme sacrifice, if need be, and the relatives of American boys who were buried not in Texas but abroad—

Thousands of veterans not able to make a decent living because of low-wage competition by wetbacks and imported labor. Thousands of children of veterans are not able to enjoy good health because veterans and their families are forced to work for starvation wages because of imported labor. Americans of Mexican origin in Texas must have opportunity to live like human beings and first-class citizens. Best way to do it is to stop all imported labor.

All they ask is just a chance to exist—not to get rich—a chance to find employment so that they may feed their families, to send their children to school, to teach them to adore the flag and to know that their fathers and brothers did not die in vain on foreign fields. In many instances, the kind of persons the writer of the telegram is talking about are relatives of American boys who are buried in foreign cemeteries with their only decoration a white cross. Now a bill is introduced which, if it should pass, would result in foreign labor being brought into the United States. I say it is un-American.

Americans of Mexican origin in Texas must have an opportunity to live like human beings and first class citizens. Best way to do it is to stop all imported labor.

The telegram is from American GI Forum of Texas Independent Veterans' Organization, by Hector P. Garcia, medical doctor, chairman. I am sure my good friend from Texas knows him.

Mr. President, one member of the President's committee was Archbishop Lucey, from the heart of Texas. This is what he says:

SAN ANTONIO, N. MEX., April 26, 1951.
HON. DENNIS CHAVEZ,
Senate Office Building:

May I sincerely commend your efforts to amend the farm-labor measure now under Senate consideration so that it will contain at least some standards of decent working conditions and will not encourage a further influx across the border of large numbers of Mexican workers who are not needed. Having long studied the farm-labor situation in this area at first hand and in recent months as a member of the President's Commission on Migratory Labor in its Nation-

wide investigation I firmly believe that the demand for further Mexican workers is not justified. If a small number of alien workers are required immediate steps should be taken to organize our farm-labor force which in itself should be adequate for our needs. I wish you success in your noble undertaking.

ARCHBISHOP LUCEY.

The telegrams which I have been reading are from outside my own State. The American Federation of Labor is against the bill. The Railway Labor Executives Association sent a telegram which reads as follows:

WASHINGTON, D. C., April 27, 1951.

Senator DENNIS CHAVEZ,
Senate Office Building,
Washington, D. C.:

We applaud your leadership in seeking to amend the farm-labor bill now before the Senate so that it will contain at least some minimum working standards and so that Mexican workers will not be encouraged to cross the border. We call your attention to the wire we sent to the majority leader, Senator McFARLAND.

G. E. LEIGHTY,
Chairman, Railway Labor Executives
Association.

I read a telegram into the RECORD last Friday which came from my State, in which the writer, Mr. Roberts, stated that his association, the Farm Bureau Federation, represented 8,000 persons. I believe that is correct. But listen to this telegram:

WASHINGTON, D. C., April 27, 1951.

DENNIS CHAVEZ,
United States Senate:

National Congress of American Indians heartily commend you for your staunch efforts to amend S. 984 so that it will contain guaranties of decent standards and working conditions for domestic farm workers as well as imported. We particularly appreciate your championing the cause of the American Indians in this legislation and hope that you will succeed in getting genuine consideration for them.

JOHN C. RAINER,
Executive Secretary.

Why not, Mr. President? The same Constitution protects the Indian as it does all other Americans. He has earned that protection. Our record and our history indicate our treatment of the Indian from the time he was driven from North Carolina to the South, from the time he was driven from Mississippi and Alabama to Oklahoma, from directly after the gold rush, when, with whip, rifle, and gun, he was sent to what was then supposed to be the desert of southern California, now known as Palm Springs. That was considered to be the worst possible place. It has now been found to be good, and we want to take it away from the Indians.

Approximately 400,000 Indians might be affected by the bill. In my State there is one county which contains a vast number of Navajo Indians, God's people, who are trying to get along under the most terrific handicaps. If aliens are brought into our country as a result of the enactment of the pending bill, the poor Navajo whose son may have helped to raise the flag at Iwo Jima or Okinawa will not have a chance against the im-

ported labor. Is that fair, is it right, is it American? The poor Indians of Oklahoma, New Mexico, Arizona, Colorado, Utah, California, the Klamath Indians and other Indians of Oregon, Washington, Montana, North Dakota, and South Dakota, who are having a hard time, would not have a chance if this bill should pass.

I have here a telegram from William Green, president of the American Federation of Labor, opposing Senate bill 984. There is also a telegram from Mgrs. L. G. Ligutti, director, National Catholic Rural Life Conference, Des Moines, Iowa; also a telegram reading, in part, as follows:

We, the undersigned, send you this message of support for the valiant and intelligent fight you are making on the Senate floor to shape the farm labor legislation now being considered into an instrument aimed truly to further the interests of farm workers both domestic and foreign.

I thank the writer for the compliment. Then follows a long list of names.

Mr. President, I ask unanimous consent that all these telegrams be inserted in the RECORD at this point in my remarks.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., April 27, 1951.

Senator DENNIS CHAVEZ,
Senate Office Building:

The A. F. of L. sincerely appreciates the excellent effort that you are making in the Senate to protect the interests of American workers.

S. 984, to provide for the recruitment and importation of Mexican workers for agricultural labor, represents a dangerous threat to our economy. It is a movement to open wide the doors for wholesale importation of Mexican workers at the expense of American farm workers who have traditionally been the most neglected group in our country.

You can depend on the solid support of our free trade-union movement in your gallant effort to defeat the enactment of this vicious legislation.

WILLIAM GREEN,
President, American Federation of Labor.

DES MOINES, IOWA, April 27, 1951.

Senator DENNIS CHAVEZ,
United States Senate Office Building,
Washington, D. C.:

National Catholic Rural Life Conference appreciates very highly your Christian efforts to amend S. 984. We must be mindful that human values come first. Taking advantage of needy poor, whether Americans or foreigners, will not sell democracy at home or abroad and will not bring lasting gains to anyone. Justice, charity, fairness always pays.

MSGR. L. G. LIGUTTI,
Director, National Catholic Rural Life
Conference.

WASHINGTON, D. C., April 27, 1951.

HON. DENNIS CHAVEZ,
Senate Office Building,
Washington, D. C.:

CIO strongly backs your vigorous and well-considered fight to amend the farm labor bill in order to provide minimum standards of decency for both domestic and imported farm workers.

NATHAN E. COWAN,
Director, CIO Legislative Department.

WASHINGTON, D. C., April 26, 1951.
Senator DENNIS CHAVEZ,
Senate Office Building,
Washington, D. C.:

We the undersigned send you this message of support for the valiant and intelligent fight you are making on the Senate floor to shape the farm-labor legislation now being considered into an instrument aimed truly to further the interests of farm workers, both domestic and foreign. Achievement of your objective is of profound social value to the Nation as a whole. We promise you continuing support in your high endeavor.

Ralph W. Amerson, Philadelphia, Pa.; Shirley E. Green, Agricultural Relations Secretary, Council for Social Action of the Congregational Christian Churches; Elizabeth Christman, Amalgamated Clothing Workers, CIO; Dr. Ira Dereld, Haverford, Pa.; Lee F. Johnson, Executive Vice President, National Housing Conference; Benton J. Stong, National Farmers Union; David C. Williams, Americans for Democratic Action; Gertrude Folks, Zimans National Child Labor Committee; Hoyt S. Haddock, CIO Maritime Committee; H. L. Mitchell, President, National Farm Labor Union, AFL; Paul Sifton, National Legislative Representative, United Automobile Workers, CIO; C. Emerson Smith, Virginia; Leon B. Schachter, President, Cannery and Farm Workers Union; Richard K. Bennett, New Jersey; Theodore A. Rath, New Jersey; E. A. Mueller, Chicago, Ill.; Marjorie C. Thayer, Virginia; Marjorie Cabot Ware, Massachusetts; Elizabeth S. Magee, General Secretary, National Consumers League; Marion Dornton, Michigan Consumers League; Ambur Arthun Warburton, McLean, Va.; Veniette C. Well, Massachusetts; Virginia Neel, Washington, D. C.; Alfred C. Bartholomew, Pennsylvania; Elizabeth B. Herring, New York, National Board, YWCA; Cameron P. Hall, New York; Albert H. Cotton, North Carolina, William J. Gibbons.

DENVER, COLO., April 30, 1951.

Senator DENNIS CHAVEZ,
Senate Office Building,
Washington, D. C.:

Compliments on your fight re Ellender Mexican labor bill. Wrong to subsidize a few large farm operations in limited area. Family farmers eventually are forced to compete with low-income laborers thus brought in.

HARVEY R. SOLBERG,
President, Rocky Mountain Farmers
Union.

Mr. CHAVEZ. Mr. President, the following telegram is addressed to me, coming from the border, the area which would possibly benefit by the passage of this bill:

YUMA, ARIZ., April 29, 1951.

HON. DENNIS CHAVEZ,
Senate Office Building,
Washington, D. C.:

Following telegram has been sent to Senators CARL HAYDEN and ERNEST McFARLAND:

"Urge all-out fight against Senate bill 984 introduced by Senator Ellender. For sake of entire country please support Senator DENNIS CHAVEZ in his fight against indiscriminate and unlimited importation of Mexican farm labor."

MASON M. WARREN,
Secretary, Yuma Building and Construction Trades Council.

I have another telegram to the same effect from the Arizona State Federation of Labor, which reads as follows:

PHOENIX, ARIZ., April 27, 1951.
Hon. DENNIS CHAVEZ,
Senator from New Mexico,
Senate Office Building,
Washington, D. C.:

Following telegrams have been sent to Senators HAYDEN and McFARLAND, of Arizona:
"We strenuously oppose S. 984 and respectfully request your support of our stand."

ARIZONA STATE FEDERATION OF LABOR,
E. F. VICKERS, Secretary-Treasurer.

Mr. President, the next telegram is addressed to me from Norman, Okla., reading as follows:

NORMAN, OKLA., April 29, 1951.
Senator DENNIS CHAVEZ,
Senate Office Building,
Washington, D. C.:

Urge passage your amendment Senate bill 984 requiring minimum wage and hiring available local labor.

CLAY L. COCHRAN.
W. N. PEACH.
D. M. OWINGS.
W. H. LECKIE.
PAUL E. NELSON.

The signers of the telegram are professors at the University of Oklahoma. As I said before, I want to do what is fair, and I respect the views of my colleagues who differ with me on the subject.

I will not read what the labor groups have said. I merely wish to invite the attention of Senators to 22 telegrams which I received from labor groups in my State, who are opposed to the bill. I ask unanimous consent that the telegrams be printed in the RECORD at this point in my remarks.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

SANTA FE, N. MEX., April 28, 1951.
Senator DENNIS CHAVEZ,
Senate Office Building,
Washington, D. C.:

The New Mexico State Federation of Labor and affiliate membership is opposed to Senate bill 984, importation of Mexican national laborers. Laborers available in State if fair standard of wages paid. In past years importation of Mexican nationals for farm work has displaced laborers and at a lower wage scale. Supply of laborers in State should be exhausted before any importations take place.

W. S. ROBERTS,
Secretary, New Mexico State
Federation of Labor.

ROSVELL, N. MEX., April 28, 1951.
Senator DENNIS CHAVEZ,
United States Senate,
Washington, D. C.:

The working people of Chaves County are opposed to Senate bill No. 984 which would bring Mexican nationals into the Pecos Valley for cotton harvest at a lower rate of pay than prevailing scale in 1950. Mexicans were brought in and our people walked the streets looking for work. Prevailing rate here was \$3 to \$4 per hundred. Mexican nationals worked for \$1.75 per hundred. We ask that you vote and work against this shameful situation recurring this year.

JAMES A. PRICE,
President, New Mexico
State Federation of Labor.

ALBUQUERQUE, N. MEX., April 28, 1951.
Senator CHAVEZ,
United States Senate Office Building,
Washington, D. C.:

As the representative of Building Trades and Construction Council of Northern Area of New Mexico, representing 18,000 workers of all crafts, I am urging the defeat of Senate bill No. 984.

THOMAS HILL.

HOBBS, N. MEX., April 28, 1951.
Hon. DENNIS CHAVEZ,
United States Senator from New Mexico,
Senate Office Building,
Washington, D. C.:

The New Mexico State Council of Carpenters with a membership of over 2,000, wish to express our opposition to Senate bill 984 which would allow Mexican nationals to be brought in at a low scale of wages to compete with our American citizens in doing farm work. Last year our citizens who pick cotton at \$2 to \$3 per hundred had to stand on the sidewalks in town while Mexican nationals got the work for \$1.75 per hundred. Your help in behalf of the people of our communities of New Mexico in defeating this legislation will be appreciated. Sincerely yours,

VERNON C. ROBERTS,
Secretary-Treasurer, New Mexico
State Council of Carpenters.

ALBUQUERQUE, N. MEX., April 28, 1951.
Senator CHAVEZ,
Senate Office Building,
Washington, D. C.:

The Central Labor Union of Albuquerque representing 8,000 members urges you to vote no on Senate bill No. 984. This bill is detrimental to all working people in this State.

J. E. HANDLEY,
Secretary, Central Labor Union.

SANTA FE, N. MEX., April 27, 1951.
Hon. DENNIS CHAVEZ,
United States Senate,
Washington, D. C.:

Respectfully request you hold fast in your stand against importation of Mexican labor to United States. Thousands of working people in this and other States available for farm work, however, employers would hire cheap foreign labor and starve working citizenry of this country. Advise Senator ANDERSON that working people of New Mexico sent him to Senate to represent the State of New Mexico and its people. His continued support of Senate bill 984 will be a disservice to his State.

Respectfully,
J. W. GARCIA,
President, Santa Fe Central Labor Union.

SANTA FE, N. MEX., April 30, 1951.
Senator DENNIS CHAVEZ,
Senate Office Building,
Washington, D. C.:

We are greatly opposed to Senate bill numbered 984. We feel we have sufficient labor to do all work in New Mexico providing they are paid current wage scales in order to make it convenient for them to live a normal life. We will appreciate your cooperation against this bill. Our local represents 1,000 members plus their families and relatives.

T. L. LOPEZ,
Financial Secretary,
Carpenters Local No. 1353.

ALBUQUERQUE, N. MEX., April 27, 1951.
Senator DENNIS CHAVEZ,
Senate Office Building,
Washington, D. C.:

Urgently request you help in defeating Senate bill 984. Surplus of farm labor available when wages are adequate.

J. B. MCCOY.

SANTA FE, N. MEX., April 29, 1951.
Senator DENNIS CHAVEZ,
United States Senate,
Washington, D. C.:

We urge you defeat Senate bill No. 984 Mexican importation. 1,500 organized laborers represented.

LENO MARTINEZ,
Agent AFL Local 16.

SANTA FE, N. MEX., April 28, 1951.
Dennis CHAVEZ,
United States Senator:

We of our local union oppose deal S. 984. Supply of labor available if fair standard of wages paid. One hundred and eighty members in our local.

A. M. ESPINOZA,
Painters Local 869.

ALBUQUERQUE, N. MEX., April 28, 1951.
Senator DENNIS CHAVEZ,
Senate Office Building:
Painters Local 823 urge the defeat of S. 984.

F. T. KINSELLA,
Recording and Financial Secretary,
Local 823.

ALBUQUERQUE, N. MEX., April 28, 1951.
United States Senator DENNIS CHAVEZ,
United States Senate Office Building,
Washington, D. C.:

Senate bill 984 will flood this country with unneeded workers. Our American standard of living will suffer. Electrical Workers Local 611 urges defeat of this bill.

ELMER ZEMKE.

ALBUQUERQUE, N. MEX., April 28, 1951.
Senator CHAVEZ,
United States Senate Office Building,
Washington, D. C.:

Importation of cheap foreign labor will help to further depress inadequate wage scales in hotel-restaurant crafts. Urge you vote "no" on Senate bill No. 984.

JAMES GIACHELLO,
Business Representative.

HOBBS, N. MEX., April 28, 1951.
Hon. DENNIS CHAVEZ,
United States Senator for New Mexico,
Senate Office Building,
Washington, D. C.:

Common Laborers Local No. 1044, Hobbs, N. Mex., would like to go on record as being opposed to Senate bill 984 which will allow Mexican nationals to be brought in to take the work of our citizens in the cotton-picking season.

We have a membership of some 300 members, many of whom work with their wives and children in picking cotton in the fall of the year. These Mexican people are brought here to work for low wages and destroy our working conditions. They are paid about half what our citizens can work for and we cannot compete with them. Your help in defeating this bill will certainly be appreciated.

Sincerely yours,
LEWIS F. McDOWELL,
President, Local No. 1044, Hod Carriers and Common Laborers Union.

ROSVELL, N. MEX., April 28, 1951.
Senator DENNIS CHAVEZ,
Senate Office Building,
Washington, D. C.:

The working populations of Chaves County and the Pecos Valley ask in the name of decency for you to use your influence and oppose Senate bill 984 which would bring in Mexican nationals for farm work at a lesser wage scale of wages than the prevailing wage. In 1950 farmers used Mexican nationals to harvest cotton at \$1.75 per hun-

dre; prevailing wage was \$3.50 to \$4 per hundred. Several thousand people here oppose the recurrence of exploitation of American citizens.

FRANK MORGAN,
Business Manager, Carpenters Local Union.

CARLSBAD, N. MEX., April 29, 1951.
Senator DENNIS CHAVEZ,
*Senate Office Building,
Washington, D. C.:*

The Brotherhood of Carpenters and Joiners of America, Local 1245, Eddy County, N. Mex., membership approximately 600, strongly oppose Senate bill 984 relating to the Mexican nationals entering our country to do our farm work. Last fall Mexican nationals gathered our cotton for \$1.75 per hundred, whereas our scale was from \$3 to \$4 a hundred, which brought hardships upon our laborers. You can readily see why we are strongly opposed to this bill.

D. S. SIKES,
Financial Secretary and Business Agent, Carpenters Local 1245.

CARLSBAD, N. MEX., April 29, 1951.
Senator DENNIS CHAVEZ,
*Senate Office Building,
Washington, D. C.:*

Construction and General Laborers Union, Local 1385, of Eddy County, N. Mex., of approximately 978 members would like to go on record to strongly oppose Senate bill 984 relating to the Mexican nationals entering our country to do farm labor. Last fall Mexican nationals were brought into New Mexico to pick cotton and were paid \$1.75 per hundred, whereas our own people's scale is from \$3 to \$4 per hundred. You can readily see why we are opposed to such policies.

RONALD E. BATEMAN,
Secretary-Treasurer, Local 1385.

CARLSBAD, N. MEX., April 29, 1951.
Senator DENNIS CHAVEZ,
*Senate Office Building,
Washington, D. C.:*

Our people of the State of New Mexico and Northwest District Council of Laborers would like to go on record to strongly oppose Senate bill 984 relating to the Mexican nationals entering our country to do farm labor. Last fall Mexican nationals were brought into New Mexico to pick cotton and were paid \$1.75 per hundred, whereas our own people's scale is from \$3 to \$4 per hundred. You can readily see why we are opposed to such policies.

RONALD E. BATEMAN,
Business Agent.

CARLSBAD, N. MEX., April 28, 1951.
Senator DENNIS CHAVEZ,
*Senate Office Building,
Washington, D. C.:*

Plasterers and cement finishers of local 835 of Eddy County, N. Mex., with approximately 84 members would like to go on record to strongly oppose Senate bill 984 relating to the Mexican nationals entering our country to do farm labor. Last fall Mexican nationals were brought into New Mexico to pick cotton and were paid \$1.75 per hundred, whereas our own people's scale is from \$3 to \$4 per hundred. You can readily see why we are opposed to such policies.

L. L. CADELL,
Secretary, Local Union 835.

ALBUQUERQUE, N. MEX., April 29, 1951.
Senator DENNIS CHAVEZ,
Washington, D. C.:

Brotherhood of Locomotive Firemen and Enginemen State New Mexico firmly oppose Senate bill 984 granting importation of Mex-

ican national laborers until all existing labor supply at fair wages has been exhausted.

A. G. PUGH,
State Legislative Chairman, Brotherhood Locomotive Firemen and Enginemen.

ALBUQUERQUE, N. MEX., April 29, 1951.
Hon. Senator DENNIS CHAVEZ,
Washington, D. C.:

We are opposed to the importation of Mexican laborers in this State until we have exhausted the labor supply at a fair standard of wages. This concerns Senate bill 984.

NORRIS R. PENNY,
Chairman, Brotherhood of Railway Clerks, New Mexico State Legislative Committee.

Mr. CHAVEZ. Mr. President, I do not wish to read all the messages I have received, but I invite the attention of Senators to what civic organizations in my State have said. They are organizations which have no axes to grind, which are made up of outstanding and fine citizens in my community, as they are in every other community. In my State they represent a fine cross section of what is community life in the entire United States. I read the first one:

SANTA FE, N. MEX., April 29, 1951.
Senator DENNIS CHAVEZ,
*Senate Office Building,
Washington, D. C.:*

New Mexico congress of parents and teachers urge you amend S. 984 to insure fair and equal treatment of American labor, protect Indian labor and child welfare acts. School attendance law should be applicable to import labor from Mexico. This labor will further burden State health and welfare agencies and because of extremely low wages will lower standard of living and will create serious problem in unemployment.

Mrs. KENNETH S. CLARK,
State Legislative Chairman.

I have another telegram, which reads:

ALBUQUERQUE, N. MEX., April 28, 1951.
Senator DENNIS CHAVEZ,
Washington, D. C.:

We are opposed to original Senate bill 984 but are in favor of your amendments thereto.

L. G. BOYSE,
Commander, Department of New Mexico, Disabled American Veterans.

The disabled veterans are the boys who faced the music. They are the boys who are not interested in cheap labor. They are the boys who would like to see the kind of government continue for which they were supposed to have fought, in order to preserve our American standard of living.

I have another telegram:

ALBUQUERQUE, N. MEX., April 29, 1951.
United States Senator DENNIS CHAVEZ,
Washington, D. C.:

Thank you for your gallant fight for your amendment on Senate bill 984. We are opposed to the Ellender bill as reported to the Senate.

CELINE DAVIS RAFF,
President, American Legion Auxiliary, No. 82, Benavides Grande.

I have a telegram from Albuquerque:

ALBUQUERQUE, N. MEX., April 30, 1951.
Senator DENNIS CHAVEZ,
*Senate Office Building,
Washington, D. C.:*

Ellender bill, Senate 984, not acceptable to many people unless carrying your three proposed amendments. Will be opposed by some in any event. With amendments will

probably help solve problems of southern New Mexico during critical periods.

STUART W. ADLER.

I wish the Senator from Illinois had not left the Chamber. I would have liked to tell him how the New Mexico Health Foundation was started and who financed it. Some years ago a great woman served in the House of Representatives. She was Mrs. Ruth Hanna McCormick. She married a Representative, the one whom I succeeded in 1920. During the last years of her life she lived in my State. She was the one whose funds made the foundation possible, so that people living in the country, 150 or 200 miles from a railroad, completely isolated by nature and in every other way, might at least have a nurse in attendance in critical times, such as when a mother was in the throes of childbirth. I wish to pay my respects to the New Mexico Health Foundation and to the great lady who was responsible for organizing it. The telegram is signed by Dr. Adler, the managing director of the foundation.

I have already read a telegram from Archbishop Lucey.

I have another telegram from Albuquerque, N. Mex. It reads:

ALBUQUERQUE, N. MEX., April 30, 1951.
Senator DENNIS CHAVEZ,
*Senate Office Building,
Washington, D. C.:*

We oppose the original Ellender bill S. 984 but we do support your amendments to this bill.

Mrs. O. I. LANGSETH, *Chairman,*
Rev. CLARENCE C. PARR, *Pastor,*
Social Action Committee, First Congregational Church.

I am not a member of the Reverend Mr. Parr's church; but he is an American and a fine citizen, who is carrying out the Christian belief in furthering the cause of humanity. That is why he sent the telegram.

I have another telegram, which reads:

CLOVIS, N. MEX., April 29, 1951.
Senator DENNIS CHAVEZ,
Senate Office Building:

Let me endorse your amendments to Senate bill No. 984.

THOMAS H. RAPER,
Pastor, First Methodist Church, Clovis.

I have another telegram:

CLOVIS, N. MEX., April 29, 1951.
Senator DENNIS CHAVEZ,
*Senate Office Building,
Washington, D. C.:*

I approve your amendments to Senate bill 984.

Rev. H. H. ALLEN,
Pastor, Trinity Methodist Church.

Rev. W. Carl Clement sends the following telegram:

CLOVIS, N. MEX., April 28, 1951.
Senator DENNIS CHAVEZ,
*Senate Office Building,
Washington, D. C.:*

I endorse your amendments to Senate bill No. 984.

Rev. W. CARL CLEMENT.

I have another telegram, which reads:

ALBUQUERQUE, N. MEX., April 27, 1951.
Senator DENNIS CHAVEZ,
*Senate Office Building,
Washington, D. C.:*

New Mexico Chapter, American Association. Social Workers, believes passage Senate bill

984 would stifle promotion healthy wage scales this area. Urge you protest passage.

HARRIET HALLETT,
Chairman.

Here is another telegram:

ALBUQUERQUE, N. MEX., April 27, 1951.
Senator DENNIS CHAVEZ,
Senate Office Building,
Washington, D. C.:

Defeat Senate bill 984; promote New Mexico labor.

MARGARUETE I. CLOSE,
Catholic Charities.

That is the point, Mr. President. Regardless of what may be said in support of this bill, I still prefer American labor. It might be treason to say so, but I still prefer American labor to labor from elsewhere, unless American labor is not available.

I have another telegram, which reads:

ALBUQUERQUE, N. MEX., April 27, 1951.
Hon. DENNIS CHAVEZ:
Please protest Senate bill 984; Ellender bill is vital concern in this area.

VIRGIL HAWTHORNE,
Executive Secretary, Bernalillo County
Tuberculosis Association.

Do Senators know of that group? In my State there are citizens, men, and women from every State of the Union. One of our largest industries is rehabilitating people who are afflicted with tuberculosis. They have come there from Kokomo, Ind., from Maine, and from New York. They come from Sparta, New Market, and Fayetteville. They come from Batesville. They come from Baton Rouge and Shreveport, La. That is the kind of group it is. Do Senators think that they would want to have anything done which would handicap them in their efforts to regain their health, by making it easy to import unhealthy aliens?

I have some telegrams from local lodges, and I ask that they be printed in the RECORD at this point in my remarks.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

ALBUQUERQUE, N. MEX., April 29, 1951.
Senator DENNIS CHAVEZ,
United States Senate,
Washington, D. C.:

Being much interested in Senate bill No. 984, we wish to express our sincere thanks in behalf of Alianza Hispano-Americana for having opposed the Ellender bill as reported to the Senate and are much in favor of your amendments to said bill.

ALIANZA HISPANO-AMERICAN LODGE
37,
CARPIO M. CHAVEZ, President.

ALBUQUERQUE, N. MEX., April 29, 1951.
United States Senator CHAVEZ,
Senate Office Building,
Washington, D. C.:

The Alianza Club, Inc., resolved the endorsement to Senate bill 984 of the amendments of Senator CHAVEZ to said bill. We oppose Senator ELLENDER bill as reported and for a stand in decency and equality the membership of said club endorse the amendment of Senator CHAVEZ.

ALIANZA CLUB,
PAUL SANCHEZ,
President.

Mr. CHAVEZ. Mr. President, on Friday last I read a telegram from Mr. Roberts, the president of the American

Farm Bureau Federation. He is a splendid citizen, and represents a fine group. However, he is completely mistaken as to the eventual benefits of the proposed legislation. In the first place, it would not stabilize farm labor. The bill would be in effect for only 1 year. Its proponents want cheap labor during the growing season of 1951. Such legislation would not stabilize farm labor. Labor could be stabilized by means of legislation which would take care of American labor first and which would provide working conditions under which an American could work in keeping with our standards. We love to brag about our standards of living. They are grand, and it is important and necessary that we keep them up. We cannot keep up American standards of living on 70 cents a day. It cannot be done here or elsewhere.

At any rate, the American Farm Bureau Federation, through its President, sent a telegram approving Senate bill 984. Now there comes a telegram from a person who belongs to the same organization. He has not a thousand acres in cotton. He has a little bean farm near Mountainair. He says:

DEAR SENATOR: I notice in radio broadcasts that you are opposing the Ellender bill. Please feel that you have our support in your opposition to this bill.

C. A. NEELY, President,
MOUNTAINAIR FARM BUREAU.

He belongs to the same organization as the other men, but he owns an ordinary farm. He represents the 6,000,000 farmers who operate family-sized farms, and not the 125,000 who represent 7 percent of the farming operations.

Another telegram reads:

DEAR SENATOR: We are opposed to Senate bill No. 984. We must find ways to adequately utilize our own labor resources.

That is all there is to it. I repeat that we spent \$120,000,000 getting rid of foot and mouth disease in old Mexico, so as not to affect the fine dairy herds in the home State of the Senator from Wisconsin [Mr. WILEY], so as not to affect the fine beef cattle in the State of the Senator from Kansas [Mr. CARLSON]. I think it was money well spent. The Congress would not allow the importation of one pound of Argentine beef, though it is of good quality and the housewife and the consumer could probably obtain steak for 30 or 40 cents a pound if its importation were allowed. Why has Congress taken that position? It has taken it for the protection of American industry. That is a correct position. Our first duty is to the United States; and the sooner we realize it the better. But the pending bill would sidetrack all that is sacred so far as the protection of American labor is concerned. We would be importing cheap labor. How are American laborers going to keep up the American standard of living if they must compete with that class of labor?

Here is a telegram from Herman Dinkle, president of the Stanley Farmers Union. He is opposed to the bill.

So is L. C. Timmons, legislative director of the Moriarity Farmers Union. So is E. C. Green, a member of the Moun-

tainair Farmers Union; also Wayne Smith, of Mountainair, N. Mex.; and Mr. B. C. Berryman, of Corona, N. Mex. Corona is on the Southern Pacific railroad line, on the way from Dalhart, Tex. to El Paso, Tex., across the southeastern portion of New Mexico. It is a beautiful little mountain town. Its citizens are God-fearing people. They are not big farmers. The average farm in that vicinity is a family farm. Those farmers are opposed to the bill.

Here is a telegram from Sam Kendrick, legislative director of the Stanley Farmers Union. He is opposed to the bill. So is W. A. Thomas, of Estancia, N. Mex.; and Herbert R. Parsons, of Mountainair, N. Mex.

Those farmers operate family-sized farms. The messages which I read last Friday were from other types of farmers.

Mr. President, I ask unanimous consent to have printed in the RECORD, at this point, as a part of my remarks, the group of telegrams to which I have referred.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

MOUNTAINAIR, N. MEX., April 30, 1951.
Senator DENNIS CHAVEZ,
Washington, D. C.

DEAR SENATOR: I notice in radio broadcasts that you are opposing the Ellender bill. Please feel that you have our support in your opposition to this bill.

C. A. NEELEY,
President, Mountainair Farm Bureau.

MOUNTAINAIR, N. MEX., April 30, 1951.
Senator DENNIS CHAVEZ,
Washington, D. C.

DEAR SENATOR: We are opposed to Senate bill No. 984. We must find ways to adequately utilize our own labor resources.

B. A. KINCHELOE,
President, Torrance County Cooperative Association.

MOUNTAINAIR, N. MEX., April 30, 1951.
Hon. Senator DENNIS CHAVEZ,
Washington, D. C.

Honorable Senator CHAVEZ: Your opposition to the Ellender bill will receive full support of the people of this community.

HERMAN DINKLE,
President, Stanley Farmers Union.

MOUNTAINAIR, N. MEX., April 30, 1951.
Senator CHAVEZ,
Washington, D. C.

Honorable SENATOR: We are glad to know you are opposing Senate bill No. 984. We are against the provision of this bill and hope you continue to oppose it.

L. C. TIMMONS,
Legislative Director, Moriarity Farmers Union.

MOUNTAINAIR, N. MEX., April 30, 1951.
SENATOR DENNIS CHAVEZ,
Washington, D. C.

DEAR SENATOR: Continue your opposition to the Ellender bill.

E. C. GREEN,
Member of Mountainair Farmers Union.

MOUNTAINAIR, N. MEX., April 30, 1951.
SENATOR DENNIS CHAVEZ,
Washington, D. C.

HONORABLE SENATOR: I am opposed to the provisions of the Ellender bill. Please continue your opposition to this bill.

WAYNE SMITH.

CORONA, N. MEX., April 30, 1951.
HON. DENNIS CHAVEZ,
Washington, D. C.

DEAR SIR: I feel the Ellender bill, No. 984, will be a detriment to our laborers in the State of New Mexico. Please continue with every effort to defeat same.
Sincerely,

B. C. BERRYMAN.

MOUNTAINAIR, N. MEX., April 30, 1951.
SENATOR DENNIS CHAVEZ,
Washington, D. C.

DEAR SENATOR: This is to advise you that we are definitely opposed to Senate bill No. 984. We hope you will continue your fight against this bill.

SAM KENDRICKS,
Legislative Director, Stanley Farmers
Union.

MOUNTAINAIR, N. MEX., April 30, 1951.
SENATOR DENNIS CHAVEZ,
Washington, D. C.

DEAR SENATOR: I am opposed to Senate bill No. 984 as feel we should use what labor we have in our own country before bringing in others.

W. A. THOMAS.

ESTANCIA, N. MEX.

MOUNTAINAIR, N. MEX., April 29, 1951.
SENATOR DENNIS CHAVEZ,
Senate Office Building, Washington, D. C.
DEAR SENATOR: Thank you for your stand on Senate bill 984. We are opposed to the entire Ellender bill. May we encourage you to vigorously oppose this type of legislation.
HERBERT R. PARSONS.

Mr. CHAVEZ. Mr. President, I think it would be proper at this particular point, in order that there may be a comparison, to ask permission to have printed in the RECORD all the telegrams and letters which I have received in favor of Senate bill 984. I ask unanimous consent to do so, in order that the record may be complete.

There being no objection, the letters and telegrams were ordered to be printed in the RECORD, as follows:

LOVINGTON, N. MEX., April 27, 1951.
Senator DENNIS CHAVEZ,
Washington, D. C.:

Please support the Ellender bill on farm labor without amendments, otherwise the farmers in this section will be seriously crippled.

H. A. DUKE.

LOVINGTON, N. MEX., April 27, 1951.
Senator DENNIS CHAVEZ,
Washington, D. C.:

Support Ellender bill, No. 984, without amendments. We need labor badly.

H. E. MATHER.

McDONALD, N. MEX.

LOVINGTON, N. MEX., April 27, 1951.
Senator DENNIS CHAVEZ,
Washington, D. C.:

Cooperate with Ellender bill without amendments. Situation will be critical concerning labor otherwise.

N. G. HOWEY.

HUMBLE CITY, N. MEX.

DEMING, N. MEX., April 27, 1951.
Hon. DENNIS CHAVEZ,
Washington, D. C.:

We are firmly behind Ellender farm labor bill, S. 984, regarding importation of labor. Request your support without amendment or change. It is to New Mexico's benefit just

as it is written. We expect your support of this bill.

LUNA COUNTY FARM AND LIVESTOCK
BUREAU,
FRANK A. BREDECKO, President.

LOVINGTON, N. MEX., April 27, 1951.
Senator DENNIS CHAVEZ,
Washington, D. C.:

I think you should support the Ellender bill without amendments.

LUBBOCK, TEX.

BRADY LOWE.

LOVINGTON, N. MEX., April 27, 1951.
Senator DENNIS CHAVEZ,
Washington, D. C.:

Do not add amendments to Ellender bill. Help pass it as is.

ERNEST MAHON.

LOVINGTON, N. MEX., April 27, 1951.
Senator DENNIS CHAVEZ,
Washington, D. C.:

I personally think you should not attach amendments to Ellender bill. Leave as is. We find that we get good service through Mexican nationals.

J. R. HALE.

LOVINGTON, N. MEX., April 27, 1951.
Senator DENNIS CHAVEZ,
Washington, D. C.:

I need extra seasonable help on my farm. Have used Mexican nationals satisfactorily. Support Ellender bill as now written without amendments.

L. G. CAUDILL.

LOVINGTON, N. MEX., April 27, 1951.
Hon. Senator DENNIS CHAVEZ,
Washington, D. C.:

I have had 3 years' experience in using Mexican nationals. I find it practical and would like to continue as in the past. Please support Ellender bill without amendments.

COMER HUGGINS,
President, Lea County Farm and
Labor Bureau.

LOVINGTON, N. MEX., April 27, 1951.
Hon. Senator DENNIS CHAVEZ,
Washington, D. C.:

I firmly believe that this section of the country should be permitted to contract Mexican nationals as now provided by law. The Ellender bill without amendments is suitable.

SUN ACRE FARMS, INC.,
ROLF A. MOE, President.

LOVINGTON, N. MEX., April 27, 1951.
Hon. Senator DENNIS CHAVEZ,
Washington, D. C.:

I am well pleased with the contract for Mexican nationals as it is. But the Ellender bill, without amendments, is acceptable.

R. E. WILLINGHAM.

McDONALD, N. MEX.

LOVINGTON, N. MEX., April 27, 1951.
Senator DENNIS CHAVEZ,
Washington, D. C.:

We need Ellender bill without any amendments. Mexican labor is nearest available extra help we can get; less expensive transportation.

R. L. SEBRING.

LOVINGTON, N. MEX., April 27, 1951.
Senator DENNIS CHAVEZ,
Washington, D. C.:

Labor condition critical here. Do not amend Ellender bill. Mexican labor more practical.

L. C. GREEN.

LOVINGTON, N. MEX., April 27, 1951.
Senator CHAVEZ,
Washington, D. C.:

We would like to have Ellender bill 984 without amendments. National labor made satisfactory and closer.

H. L. WADE.

LAS CRUCES, N. MEX., April 26, 1951.
Senator DENNIS CHAVEZ,
Washington, D. C.:

Farmers and ranchers in New Mexico vitally interested in passage, without amendments, of Ellender and Poage labor bills for providing Mexican nationals for farm labor. Am advised you have introduced amendments which will emasculate the provisions of this legislation. Urgently request you reconsider these amendments and push passage of bills as now written. These bills represent many months of work by producers who foot the bill, cast the votes, and carry the load of getting production and therefore are entitled to your cooperation. Our entire organization of 6,000 members strongly behind this legislation which is of vital interest in view of huge cotton acreage planted as requested by our defense officials.

DELMAR ROBERTS,
President, New Mexico Farm and
Livestock Bureau.

PORTALES, N. MEX., April 26, 1951.
Senator DENNIS CHAVEZ,
United States Senate,
Washington, D. C.:

Farmers of New Mexico want the Ellender labor bill without your amendments. Urge your support of Ellender labor bill.

W. B. MCALISTER,
Vice President, New Mexico Farm
and Livestock Bureau.

ARTESIA, N. MEX., April 26, 1951.
Hon. Senator CHAVEZ,
Senate Office Building,
Washington, D. C.:

In interest of farmers of New Mexico we desire Senate bill 984 passed without any amendments attached. We do not have adequate labor to harvest our crops. With personal regards. Would appreciate your reply.

J. W. BERRY.

ALAMOGORDO, N. MEX., April 26, 1951.
Senator DENNIS CHAVEZ,
Washington, D. C.:

The farmers in this area are requesting that you support the Ellender bill without your 10 amendments. The farmers are really agitated in this district.

VERNER CLAYTON.

CARLSBAD, N. MEX., April 26, 1951.
Senator CHAVEZ,
United States Senate Building,
Washington, D. C.

DEAR SENATOR: Sincerely request your support of original Ellender bill without any amendments. It's practical to use Mexican nationals to harvest our crops the season of 1951. Believing that you will rely on information of your constituents as to labor bills, thanking you for your support, your friend,

BOB JAMES.

MALAGA, N. MEX.

ROSWELL, N. MEX., April 26, 1951.
United States Senator DENNIS CHAVEZ,
Senate Building, Washington, D. C.:

Strongly urge you to support the Ellender bill regarding the use of Mexican nationals for farm labor upon contract basis. There is an inadequate supply of local labor this area. The use of national in the past has saved millions of dollars in crops in this area.

Migratory and transit labor has never within the past decade been adequate in this area due to extensive development. This same condition exists in Lea County due to extensive irrigation development there within last 4 years.

Defense projects in this area have absorbed practically all of local labor and farmers and ranchers both are faced with critical shortage. Contract method has worked successfully and we believe it is only method to provide adequate labor in harvest period for this area. We realize and understand your former position in this matter; however, development has been so extensive in area, and shortage of labor is critical. We urge you to support this measure. Farmers and ranchers have contacted me in considerable numbers, urging that you be contacted and situation explained to you. Many of them feel you have prejudged the necessity of this legislation, and I cannot too strongly urge your support of same.

T. T. SANDERS, Jr.,
Democratic County Chairman, Chaves,
N. Mex.

CARLSBAD, N. MEX., April 26, 1951.
Senator DENNIS CHAVEZ,
Washington, D. C.:

Otis Farm and Livestock Bureau requests your support of the original Ellender bill. Farmers of this association will be seriously hampered in production goal if it is not passed as is.

ORAL NICHOLS,
President, Otis Farm Bureau.

CARLSBAD, N. MEX., April 26, 1951.
Senator DENNIS CHAVEZ,
Washington, D. C.:

Your support is requested for the original Ellender bill on agricultural labor.

J. C. OGDEN.

CARLSBAD, N. MEX., April 26, 1951.
Senator DENNIS CHAVEZ,
United States Senate Office Building,
Washington, D. C.:

We deem it best for us that the Ellender bill, Senate bill No. 984, be passed without amendment and will appreciate your support and withdrawal of the amendments that hamper the importation of Mexican labor. This labor is necessary for us and is one of the best good-will promotions that we have in educating the Mexican labor to better use of our equipment, and our method of farming. I have 20 under contract and have found them all to be excellent labor.

R. T. SPENSE.

CARLSBAD, N. MEX., April 26, 1951.
Senator DENNIS CHAVEZ,
Senate Office Building,
Washington, D. C.:

SENATOR: Request your support original Ellender bill. Farmers ask 1,600,000 crop. Imperative Mexican national labor made available during growing season and harvest. A crop grown without harvest is without benefit.

C. F. BEEMAN.

ALAMOGORDO, N. MEX., April 26, 1951.
Senator DENNIS CHAVEZ,
Washington, D. C.:

We want your support on the Ellender bill as originally written. This request is from all farmers in this area as well as the Farm Bureau for your support of the Ellender bill without your 10 amendments.

W. ADD PAINTER,
President, Otero County Farm Bureau.

CHAMBER OF COMMERCE,
Carlsbad, N. Mex., April 25, 1951.

Hon. DENNIS CHAVEZ,
Senate Office Building.
Hon. CLINTON P. ANDERSON,
Hon. ANTONIO M. FERNANDEZ,
House Office Building.
Hon. JOHN J. DEMPSEY,
Washington, D. C.

GENTLEMEN: The directors of Carlsbad Chamber of Commerce and numerous farmer-businessmen of the area definitely protest the President's Migratory Labor Commission's recommendation against the importation of labor from Mexico at the important cotton-picking season in the area of southeastern New Mexico and especially Carlsbad. So far as known, the Commission did not meet in New Mexico and did not have opportunity to learn of agricultural conditions on the ground.

Officials of the employment service tell us that there will be insufficient labor even for cotton chopping, to say naught of labor for later cotton picking; hence, we are definitely concerned that should labor from Mexico be stopped that we would be without sufficient physical help to gather the cotton crop when ready for picking.

While Mexican labor brought into the Carlsbad area would be engaged for the several months required for picking cotton, yet there is the decided advantage of moving the labor groups from one area to the other to assist with the needs therefor.

The Mexican labor is brought into this country on contract with the Mexican Government; the labor is screened against undesirable physical and other conditions; the immigration officials exercise jurisdiction over the imported workers and, too, the Mexicans receive the same wage for cotton picking and other farm work as do other persons.

Carlsbad will need imported labor from Mexico and we definitely disagree with the President's Migratory Labor Commission, and trust that the Commission's report will be unacceptable and be disapproved.

Very truly yours,
CARLSBAD CHAMBER OF COMMERCE,
By VICTOR L. MINTER, Secretary.

MR. CHAVEZ. I also ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, a letter which I received only lately, but which is dated April 14, 1951, addressed to me by Mr. Winston Lovelace, president of the New Mexico Cotton Ginners Association together with a letter to Mr. W. J. Hooten, editor of the El Paso (Tex.) Times, wherein Mr. Lovelace takes issue with the Most Reverend Robert E. Lucey, archbishop of San Antonio, who is a member of the President's Migratory Labor Commission.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NEW MEXICO COTTON
GINNERS ASSOCIATION,
Loving, N. Mex., April 14, 1951.
Senator DENNIS A. CHAVEZ,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: In connection with the recent report of the Migratory Labor Commission and interview with the Most Reverend Robert E. Lucey, in El Paso, and the subsequent publicity given to this interview, I have written the El Paso Times a letter in rebuttal of the position of the Commission that

additional labor is not needed by farmers. I enclose copy of this letter to you for your information.

We believe that it is nearly a question of life and death as far as gathering our cotton crop next fall is concerned, to get Braceros another year. We feel sure you will agree with us in this and hope you will do all that you possibly can to push the passage of the bill now before Congress authorizing the importation of Mexican farm laborers.

Thanking you kindly for this and past considerations, I am,

Yours very truly,
WINSTON LOVELACE,
President.

NEW MEXICO COTTON
GINNERS ASSOCIATION,
Loving, N. Mex., April 13, 1951.
Mr. W. J. HOOTEN,
Editor, El Paso Times,
El Paso, Tex.

DEAR MR. HOOTEN: In your issue of April 10 you carried report of an interview with the Most Reverend Robert E. Lucey, archbishop of San Antonio, who is a member of the Migratory Labor Commission. This report was headed "Braceros not needed, prelate says."

As is so often the case when such a Commission makes an investigation, the extremes are played up and apparently the report of this Commission was based on the low extremes rather than on the preponderant average of conditions and is, therefore, of very little value. Actually, there is a great need in New Mexico and elsewhere for more farm labor and especially at harvest time in the cotton fields. Many people say we would still be picking cotton from last year's crop if we had depended on local and migrant United States labor. To make matters worse for the farmer and also for the migrant laborers, a law was passed prohibiting children under 16 years of age to work in the fields during school sessions. This is a good law, but it does deny most migrant families the chance to make money during comparatively short harvesting seasons as they have been accustomed to do. The same conditions kept a lot of local labor out of the fields the past harvest season.

As a consequence, had it not been for the Braceros, the western cotton farmer would have been in a sad shape. Braceros picked about 50 percent of the cotton crop in the Lovington area this past season at wages ranging from \$1.25 to \$2.25 per hundredweight for snapping and earned \$8 to \$10 per day. In the Pecos Valley Braceros picked about 60 percent of the crop at wages of \$2 to \$3 for picking and also for snapping cotton for about the same daily wage and in the Mesilla Valley rates were from \$1.75 to \$2.50 per hundredweight. Wages in Arizona and California were higher still.

Can anyone say these farm wages are not fair and do not give a living wage? We do not think so, especially in view of the class of labor used. Some local labor is not willing to work for a fair wage. We had a report of one group of pickers leaving a field during the past winter. They were making an average hourly wage of 80 cents, but quit because they didn't like the picking. If that isn't a fair wage, we don't see how the cotton farmer can pay one.

Cotton is not perishable in the sense that fruits and vegetables are, but it will certainly deteriorate if not gathered within a reasonable time after it has opened; otherwise there will be a loss of staple length and a lowering of the grade. There is an economic loss to the whole country when this occurs.

The farmer as a class is being very much maligned from all sides and very unjustly. He is being blamed for the high cost of food and clothing, while the truth of the matter is that the farmer receives only a small part of the retail price, not exceeding 15 percent, for the raw product he markets.

Labor pulled out of the stabilization set-up because they were to be limited to a wage increase of 10 percent. The cotton farmer made a direct contribution of \$100 to \$150 on every bale of cotton that was produced this year in furtherance of the defense effort. Foreign cotton sold that much higher than our cotton because of actions of our Government. There was a lot of grumbling, to be sure, but the farmer kept right on working and this year is heeding the pleas of the same Government for a big increase in production of cotton that can only result in lower prices for his produce. At the same time they are asking the farmer to produce more, the Government, through lack of planning to get the farmer machinery, fertilizer, insecticides, etc., and hamstringing him on labor by such reports as issued by the Migratory Labor Commission, is certainly not helping much to produce the cotton which is urgently needed. However, the farmer is meeting all these obstacles as he comes to them and is not shirking his duty in production.

The cotton farmer should know what he will need to produce a big crop. He says more labor is one of the things that will be needed. We do not think a commission can travel through the country and hold a few meetings at scattered spots and be qualified to come up with the answers. It seems to us the time is here for everyone to work together to get a job done and to quit sniping at each other. We think the whole cotton industry, from the farmer through the gins, cottonseed-oil mills, and spinning mills, is more than willing to do this, but they will need the help of more labor, more machinery, more fertilizer, and more insecticides and support of the entire public.

Yours very truly,
NEW MEXICO COTTON GINNERS'
ASSOCIATION,
WINSTON LOVELACE, *President*.

Mr. CHAVEZ. Mr. President, when I concluded my remarks on Friday, I had just called attention to the articles which appeared in the New York Times on several days during the early part of April. I shall proceed from that point.

As recently as the 23d and 24th of this month, the New York Times contained articles by Mr. Gladwin Hill describing the recruiting scenes at Hermosillo, Mexico, where growers from the United States picked out workers whom they wanted to hire under contract. Hermosillo, Mexico, is south of the border from Nogales, Ariz. It is within the state of Sonora, in the Republic of Mexico. The scene was far from pleasant to read about.

Look magazine in its March 27th issue had a picture and text article portraying in unforgettable terms the sad dilemma of these people. In its April 9 issue Time magazine dealt with the problem, and Newsweek in its April 16 issue ran an article about the "Woeful Wetbacks." The Washington Post carried an editorial on April 9 deploring "the influx of aliens willing to work for wages that are indecently low according to American standards." That is one of the issues.

The editorial concluded:

We agree with the Commission that our efforts in the future should be directed to-

ward increasing the number of our own farm workers and eliminating dependence on foreign labor.

What is wrong with that? Let me say to my good friend from Nebraska [Mr. WHERRY] that I inquired from Mr. Goodwin, of the Employment Service, as to the situation in this field. The Employment Service has not even scratched the surface. We appropriated millions of dollars for that particular service. It has not scratched the surface of the resources of American labor. But still they are willing to employ labor from outside, and are anxious to come before the subcommittee which I happen to head, a subcommittee of the Committee on Appropriations, for money to investigate foreign labor. It is about time that they investigated domestic labor.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. CHAVEZ. Certainly.

Mr. WHERRY. I do not desire to interfere with the continuity of thought of the distinguished Senator from New Mexico, but after the colloquy I had with him on Friday I checked very carefully into the question of wetbacks as well as those who have entered the country legally, but have not departed from Mexico. Therefore it seems to me that they are in this country illegally.

Mr. CHAVEZ. That is correct.

Mr. WHERRY. They are exploited, too. On Friday the Senator said that it was his judgment that there are 500,000 wetbacks illegally within the country. Is that correct?

Mr. CHAVEZ. I admit that is a very conservative statement.

Mr. WHERRY. The Senator means for a liberal Democrat, a New Deal Democrat.

Mr. CHAVEZ. Yes; for a New Deal Democrat that is a very conservative statement. If they were to be counted, they would probably number a million.

Mr. WHERRY. How many are here illegally? I mean how many have been recruited, brought here by contract under existing arrangements with them, and then have not been deported to Mexico when the contract was up?

Mr. CHAVEZ. I could not give the exact figures.

Mr. WHERRY. Does the Senator have some idea?

Mr. CHAVEZ. I should venture to say the number runs into the thousands.

Mr. WHERRY. The report states that farmers of the Southwest, or whoever employs them, are exploiting these laborers.

Mr. CHAVEZ. There is no question about that.

Mr. WHERRY. Let me ask the distinguished Senator a question for my information. How can a farmer exploit a wetback who is not here in compliance with the immigration laws? How can a farmer exploit one who has been admitted under the law, but who remains in this country illegally? Is there not some way that those who were admitted legally, but have not gone back to Mexico, can be checked? Is there not some way that a check can be had on the wetbacks who, as the report said, are being exploited?

Mr. CHAVEZ. There are so many thousands of them all the way from Brownsville, Tex., to the Pacific in California that if the entire force of the Immigration Bureau were used they could not do half a job.

Mr. WHERRY. Does the Senator from New Mexico mean that the enforcement of the immigration laws is completely nil so far as handling the wetbacks who are illegally within the United States today is concerned?

Mr. CHAVEZ. Yes.

Mr. ELLENDER. Will the Senator from New Mexico permit me to make a statement?

The PRESIDING OFFICER (Mr. AIKEN in the chair). Does the Senator from New Mexico yield to the Senator from Louisiana?

Mr. CHAVEZ. Yes.

Mr. ELLENDER. I desire to state to my distinguished friend from Nebraska that during the hearings we held in Mexico City a statement was made by officials of the Immigration Service, as I recall, that there were an estimated 1,000,000 Mexicans who entered this country illegally in 1950 and—

Mr. WHERRY. They are wetbacks, are they not?

Mr. ELLENDER. They are wetbacks, yes. And that last year 500,000 were apprehended and deported back to Mexico. Many of them reentered the United States illegally again, and probably many of those not apprehended crossed and recrossed the border several times.

Mr. WHERRY. My question is, How are they exploited during the time they are here? Is there not some way by which those who employ that type of labor can have knowledge that such persons are here in violation of the law, or are not cooperating with the immigration laws?

Mr. ELLENDER. This form of illegal entry has been going on for 50 years or more, and it has been aggravated recently, because so many Mexicans want to cross the border into the United States in order to obtain better wages than they get in Mexico. As I have pointed out on two or three occasions, the bill prohibits the employment of a Mexican under this program if he is a wetback. I believe the only way in which the problem can be solved is to enact legislation along the line contained in this bill, as demonstrated in my remarks to the Senate last week.

Mr. WHERRY. Will the Senator point out in the bill any provision which would accomplish what he suggests? Where does the bill provide that it shall be illegal for the wetback to obtain employment as a laborer in this country?

Mr. ELLENDER. The Senator will find on page 2 of the bill the following language:

(1) To recruit such workers (including any such workers temporarily in the United States under legal entry).

Mr. WHERRY. I am referring to those who came into the United States illegally. But I see the Senator from New Mexico wishes to continue his address. Perhaps as he continues he will answer my question: Where in the bill

is there a provision which would prevent the hiring of wetbacks?

Mr. ELLENDER. The bill provides that no Mexican can be contracted with unless he has legally entered the United States.

Mr. WHERRY. I understood the Senator from Louisiana to make the statement that it did.

Mr. ELLENDER. It provides that Mexican labor can be employed in this country provided it comes here legally.

Mr. WHERRY. That is the point I developed last Friday. The Senator must understand that I want this labor to come into the United States if it is needed. The bill, however, makes provision only for those who come here legally. What is going to be done with those who are now in the United States illegally?

Mr. ELLENDER. It is now against the law, of course, for Mexican labor to come into this country in any other way than provided by law.

Mr. CHAVEZ. But they come here anyway.

Mr. ELLENDER. There are laws against murder, but of course murders are perpetrated every day.

Mr. WHERRY. But what is going to be done to prevent the exploiting of laborers who are here illegally?

Mr. ELLENDER. As I have previously stated, those who attempt to enter the United States illegally are apprehended as they try to come across the border. Some five hundred thousand who attempted to cross the border were caught and sent back to Mexico last year. Not a day passes that the immigration authorities do not catch many Mexicans attempting to cross illegally.

Mr. CHAVEZ. And such as are here illegally who do not behave, are reported to the immigration authorities by those who employ them, and are returned to Mexico.

Mr. WHERRY. That is the point. I understand the situation with respect to legal entry of Mexican labor, but I can find no clarification in the bill with respect to Mexican labor which is illegally within the country. It is admitted that more and more of them are coming into the United States; that wetbacks will continue to make the crossing because the enforcement of the immigration laws has completely broken down.

Mr. ELLENDER. No; it has not.

Mr. WHERRY. I did not mean completely, but it has broken down to such a point that there are 500,000 Mexicans illegally in this country.

Mr. ELLENDER. That is the estimate of the number who were not apprehended last year.

Mr. WHERRY. That is a great number of persons. It is however, only an estimate.

Mr. ELLENDER. Yes. And such persons are being apprehended every day.

Mr. WHERRY. But probably more are coming in than are being deported.

Mr. ELLENDER. That is possible. But such entry is against the law. It is illegal for persons to enter the United States without complying with the provisions of the law as the wetbacks are doing.

Mr. WHERRY. Of what benefit will it be to prescribe legal requirements with respect to Mexican laborers, and to deport a few who have entered illegally, if wetbacks will continue to come into the United States by the thousands, with respect to whom no provision is being made?

Mr. CHAVEZ. It was my purpose to take care of the problem the Senator from Nebraska has in mind by an amendment I have offered to the bill. It was submitted and has been printed over the week end.

Mr. WHERRY. Is the amendment printed and lying on the desk now?

Mr. CHAVEZ. Yes.

Mr. WHERRY. How is it designated?

Mr. CHAVEZ. It is designated "4-27-51—A." It reads as follows:

SEC. —. Any person, including the owner, operator, pilot, master, commanding officer, agent, or consignee of any means of transportation, who—

(1) brings into or lands in the United States, by any means of transportation or otherwise, or attempts, by himself or through another, to bring into or land in the United States, by any means of transportation or otherwise; or

(2) conceals or harbors, or attempts to conceal or harbor in any place, including any building, or any means of transportation, any alien, including an alien crewman, not duly admitted by an immigration officer or not lawfully entitled to enter or to reside within the United States under the terms of this act or any other law relating to the immigration or expulsion of aliens, shall be guilty of a felony—

That may be a little too severe, but it is necessary to reach them.

Mr. WHERRY. That is a pretty stiff penalty.

Mr. CHAVEZ. We must stop the hiring of wetbacks. I continue to read the amendment—

and upon conviction thereof shall be punished by a fine not exceeding \$2,000 and by imprisonment for a term not exceeding 5 years for each alien in respect to whom any violation of this section occurs.

Of course, it must be done knowingly.

Mr. ELLENDER. May I ask the Senator from New Mexico if it is not a fact that the amendment he has just read is almost a verbatim copy of the Senate bill I introduced on April 26, numbered S. 1391?

Mr. CHAVEZ. No. I think the Senator from Louisiana had in mind to do exactly what I have in mind to do with my amendment, but I do not believe the Senator's bill does that.

Mr. ELLENDER. I heard it read. I did not check it, but it sounds as if it were the same as the bill I introduced.

Mr. WHERRY. Mr. President, if the Senator from New Mexico will yield, let me say that I did not know that amendment had been submitted, but it seems to me we cannot separate the question of imposing penalties upon those who employ this type of labor and exploit them from the question as to the agreement by means of which more Mexican laborers will be brought into the United States. I do not see why in the agreement that is proposed to be made there is no provision for the imposition of some sort of penalty on the employer who not only

hires the labor, but who may also exploit the labor which is in the United States illegally. It seems to me that the purpose of the bill is to deal with the entire subject.

Mr. ELLENDER. Mr. President, if the Senator from New Mexico will yield, let me say that I am in entire agreement with the Senator from Nebraska. The reason why the Committee on Agriculture and Forestry did not go into that matter was that in doing so the committee would invade the jurisdiction of the Committee on the Judiciary. The Senator has just said that in order to make sure that the proper penalty is imposed, we should make such action a felony.

Mr. WHERRY. Mr. President, I am not sure what the penalty should be; but it seems to me that if in connection with the proposed legislation we deal only with laborers who are legally in this country, we do not strike at the root of the problem. It seems to me that we must also take action in regard to those who are here illegally.

Of course I wish it understood that I am in favor of the imported labor if it is needed.

Mr. CHAVEZ. Mr. President, let me inquire at this point whether I correctly understand the Senator from Nebraska to say that he prefers the imported labor to American labor.

Mr. WHERRY. No; I favor the American agricultural labor if it is available in the United States; but if the need for Mexican labor can be established, I am in favor of importing it. However, I say that in this measure there is nothing which would correct the problem which is at the root of the entire difficulty. It seems to me that unless we take action to prevent the continued exploitation of the so-called wetbacks and others who are illegally in the United States, we are not striking at the real problem which we are trying to solve by means of this measure. Does the Senator agree with me as to that?

Mr. ELLENDER. There is no doubt about that, so far as the wetbacks are concerned.

Mr. CHAVEZ. Mr. President, let me state what will happen. If probably millions of such laborers enter this country illegally, the result will be to saturate the labor market or to overload it worse than ever; and in that case the problem the committee is trying to solve will not be solved.

Mr. ELLENDER. Mr. President, let me say that unless this bill is enacted into law, it will be impossible for farmers in Arkansas or in Nebraska, let us say, to contract for any of this labor legally.

Mr. WHERRY. That is because the present agreement terminates in June; does it not?

Mr. ELLENDER. Yes; it terminates on June 30.

In other words, unless this measure is enacted into law, after June 30 there will be no possibility for the farmers in Mississippi, as an example, to obtain labor that is so badly needed for the harvesting of their cotton crop, for it will be impossible for those farmers to make contracts with Mexican laborers.

Mr. CHAVEZ. Mr. President, this bill can be passed in 10 minutes. I want it to be passed, but I want it to be passed with dignity. I want it to be passed in such a form that, first, we shall insure that American labor will be protected. If American labor is not available for the agricultural purposes the authors of the bill have in mind, then I shall be perfectly willing to have foreign labor imported. However, if the bill is passed, we wish to be certain that it will solve the problem, at least in part, rather than make it worse. After all, there will be so many Mexican laborers legally in the United States and so many Mexican laborers illegally in the United States; they go together. In acting on this measure, we have to deal both with those who are legally in the United States and those who are illegally in the United States, as migrating Mexican agricultural workers.

Mr. ELLENDER. Mr. President, if the distinguished Senator from New Mexico will yield further, let me say that I know he does not wish to be unfair. I did not interrupt him when he read many of the telegrams which he has received from those who oppose this bill.

Mr. CHAVEZ. Of course, I have had the floor.

Mr. ELLENDER. Yes; but I did not interrupt the Senator in order to correct him every time he read a letter which incorrectly interpreted provisions of the bill.

In this connection, Mr. President, I wish to refer the Senator to section 503 of the bill, which contains the following provision:

No workers recruited under this title shall be available for employment in any area unless the Director of State Employment Security—

And an amendment is pending which would change those words to "the Secretary of Labor"—

Mr. WHERRY. I think that is a good amendment.

Mr. ELLENDER. The section continues—

for such area has determined and certified that (1) sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed, and (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed.

Surely, Mr. President, if the administrator of this measure does his duty American farm workers will be protected.

Mr. WHERRY. If this bill should be enacted would any penalty be imposed upon an employer in case such Mexican laborers who enter this country fail to return to Mexico when their contract of employment is terminated?

Mr. ELLENDER. At the present time such laborers are required to return to Mexico.

Mr. WHERRY. But what penalty does the bill provide in case they do not return to Mexico?

Mr. ELLENDER. They are supposed to be returned to Mexico in compliance with the law.

Mr. WHERRY. I understand that; I realize that it is supposed to be done; but, the fact is that it is not done.

Mr. ELLENDER. Oh, yes; it is.

Mr. WHERRY. I mean to say that it is not done as to many of them.

Mr. ELLENDER. The greater portion of those who are legally in the United States and are employed under contract, return to Mexico.

Mr. WHERRY. I think that is true. However, this bill does not contain a penalty provision which will insure that those workers do return to Mexico.

Let me say that I suppose I am not approaching this matter from the angle from which the distinguished Senator from New Mexico is approaching it. In other words, in my State there are certain types of cultivation for which Mexican labor is needed. The other day I referred to the herding of sheep, and so forth, for which we need Mexican labor; and of course we also have to depend on such labor in connection with the growing and harvesting of sugar beets, unless machines which will take the place of hand labor are finally developed.

Mr. President, I believe that the need for the labor must be shown; I am in favor of having this matter handled in the way in which it should be handled. The point which arises in my mind is that this bill does not contain provision for the imposition of penalties in case such laborers who are legally in the United States do not return to Mexico following the termination of their contracts of employment.

I also point out that the bill does not provide for a penalty in the case of the wetbacks who illegally enter this country by the hundreds of thousands.

Does the Senator agree with me that if we are to enter into a new treaty or agreement with Mexico in connection with this question, not only should some provision be made with regard to the return to Mexico of those who are legally in the United States, but also some provision should be made in the way of protection against the exploitation of those who are illegally in our country?

Mr. CHAVEZ. Mr. President, I think I understand what the Senator has in mind. If we are to enter into a new agreement with Mexico, one which necessitates national legislation, it seems to me that the question of certification should be handled in such a way that it will be national in scope, and will not be handled on the basis of individual States, either in my State or in any other State, for in the latter case there would be 48 different provisions in regard to how such workers should be imported.

If the proposed legislation is so important—and I think it is, and I wish to cooperate and help in connection with it—certainly the treatment should be national in scope, and there should be national certification as to the imported labor and as to the need for it.

Mr. ELLENDER. Mr. President, if the Senator from New Mexico will yield, let me say, as I have already indicated, there are several amendments on that point, and it is possible that one of them will be agreed to. I do not know what

the Senate will do in that connection, of course; but, so far as I am concerned, I have no serious objection to having certification made on a national basis.

My distinguished friend from Nebraska has referred to the question of penalties. Mr. President, if the employer were in a position to hold a Mexican laborer it would be an easy matter for the employer to control him. However, there is nothing to stop a Mexican from leaving his employment a day or so after he begins it. He cannot be held in bondage by his employer.

Mr. WHERRY. Of course, that is true.

Mr. ELLENDER. Since the employer has no control over his Mexican laborers, why should we impose a penalty upon him? Certainly we should not penalize him for committing an offense over which he has no control.

Mr. WHERRY. Mr. President, will the Senator yield, so that I may propound another question?

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Does the Senator from New Mexico yield to the Senator from Nebraska?

Mr. CHAVEZ. I yield.

Mr. WHERRY. On page 5 of the bill, beginning in line 1, after the word "but," the following words appear: "notwithstanding any other provision of law or regulation, no penalty bond shall be required which imposes liability upon any person for the failure of any such worker to depart from the United States upon termination of employment."

I remember that it was the Senator from Arkansas [Mr. MCCLELLAN], I believe, who introduced proposed legislation, which I supported, which I think probably was in line with the provision of the bill I have just read.

Mr. ELLENDER. Yes.

Mr. WHERRY. At that time I was not acquainted with the fact that there were 500,000 wetbacks in this country. From statements which have been made on the floor of the Senate today, perhaps we had as well used the figure of 1,000,000, because the Senator did not know the number of them.

Mr. CHAVEZ. That is correct.

Mr. WHERRY. There are also Mexican laborers who are in the country illegally, who were brought in originally under contract, perhaps. I realize it is impossible physically to hold someone who comes in under contract to work, if he does not want to stay. But somewhere there ought to be authority on the part of the Immigration Service to check on those who are in the United States illegally, including persons who were brought in legally, who have not returned to Mexico, and who are therefore in the country illegally. There ought to be some restraint put upon those persons. There ought to be some restriction placed on the wetbacks who are in the United States, and who now number hundreds of thousands. That is the point about which I am asking.

Mr. ELLENDER. It is merely a matter of enforcing our present laws.

Mr. WHERRY. The legislation is already on the books, is it?

Mr. ELLENDER. Yes; it is the law, and it prohibits them from coming into the United States. There can be no question about that.

Mr. WHERRY. But the law is not being enforced. Is that correct?

Mr. ELLENDER. Yes; it is being enforced.

Mr. WHERRY. Then why do we find 500,000 of them in the country now?

Mr. ELLENDER. Five hundred thousand of them were arrested last year. There is statutory authority to enforce their return to Mexico. The difficulty is due to the fact that there are not a sufficient number of enforcement officers to properly patrol the border between us and Mexico.

Mr. WHERRY. Apparently there is not the authority, otherwise there would not be a million wetbacks in the United States.

Mr. ELLENDER. Of course, it is a difficult problem to achieve 100 percent compliance with the law. There can be no question about that.

Mr. WHERRY. We do not know whether the authorities have returned all those who came in legally. I know that applications have come into my office from persons who are in the country illegally, who want an extension of the terms of their employment for a matter of months or even of years, in order that they may remain in the United States.

Mr. ELLENDER. The evidence produced at the conference held in Mexico City showed there were approximately 30,000 Mexicans in this country at that time who had entered legally, but whose contracts had expired.

Mr. WHERRY. Does the Senator know how many of those contract laborers returned to Mexico? Is there not some way by which the number can be checked? It seems to be very simple.

Mr. ELLENDER. As I said, I understand there are 30,000 of them in the country now.

Mr. WHERRY. That is, illegally?

Mr. ELLENDER. No; persons who entered legally, but whose contracts have expired. These laborers are not wetbacks.

Mr. WHERRY. Then they are in this country illegally.

Mr. ELLENDER. Under the pending bill, if the Mexican Government agrees that these Mexicans may be recontracted, it can be done.

Mr. WHERRY. What is the difference between a Mexican laborer who is here illegally, having come in under contract, which has now expired, and a wetback?

Mr. ELLENDER. The wetback swims the river. He comes in illegally, whereas the others come in under contract.

Mr. WHERRY. A Mexican laborer who remains in this country after his contract has expired is as illegally here, is he not, as one who swims the river?

Mr. ELLENDER. In many cases the right to recontract is extended for 2 or 3 weeks, and it may be a month or so before the contract can again be completed.

Mr. WHERRY. I am not complaining of that, but the facts are, nevertheless, that there are those who remain in this country for months and months,

and even for years and years, after having been brought into the United States legally, but who are now staying in the country illegally.

Mr. ELLENDER. They were brought in under contract. The contract between the employer and workers from Mexico provides:

The employer shall, after the expiration of the contract, return the worker to the point of contracting in Mexico, as promptly as possible, except as otherwise provided in article 30 of the International Executive Agreement, but in no event later than 15 days. While waiting for return transportation, the worker shall be furnished subsistence at the expense of the employer.

It is natural to assume that every employer is going to return the Mexican worker as soon as possible.

Mr. WHERRY. But do the employers return them?

Mr. ELLENDER. Certainly.

Mr. WHERRY. Then does the Senator think that none of the labor of this type is exploited in this country?

Mr. ELLENDER. No. The question of labor exploitation which was described by the distinguished Senator from New Mexico had reference to the wetbacks. Those Mexicans accept work on almost any terms offered by the employer, because of the fact that they are in this country illegally. I am firmly of the belief that unless this bill is passed, the employer in this country will be unable to contract them, because the Mexican Government has absolutely turned thumbs down on any future contract unless legislation of this character is enacted.

Mr. WHERRY. Is there any penalty on the wetback's returning to Mexico? Are the doors of Mexico open to him, after he has once left the country illegally?

Mr. ELLENDER. In such a case the Mexican is supposed to be punished by the Mexican Government.

Mr. WHERRY. Is there any fear of that on the part of the returning Mexican?

Mr. ELLENDER. No; I do not believe so, but there is a law in Mexico, enacted 2 years ago, as I recall, which provides very severe penalties in the case of persons who leave Mexico illegally, and who are later returned to Mexico through our immigration authorities.

Mr. CHAVEZ. Probably that is why they leave.

Mr. ELLENDER. But the information we received in Mexico was that the Mexican Government does not enforce that law to any great extent.

Mr. WHERRY. If the Senator from New Mexico will permit, as I say, I am in favor of importing what labor we need, provided it is done legally. We must have labor of this kind in Nebraska; but it seems to me that in legalizing the entry of a few thousand laborers who are to be brought in under contract, we still are not reaching the crux of the whole problem. Why cannot the Judiciary and Agricultural Committees get together and bring before the Senate the kind of legislation which is needed, so that it may be dealt with in one bill? I see no reason for dealing with it in separate bills.

Mr. ELLENDER. I may say to my good friend from Nebraska that in the last Congress an omnibus bill was introduced and referred to the Judiciary Committee that touched on this problem in part, but the bill was not acted upon. The same bill was reintroduced this year. I thought the bill would receive the same treatment that it received in the last session, and for that reason I introduced a separate bill which deals merely with this subject. I hope that bill will be considered by the Judiciary Committee at an early date, and that it will be enacted into law.

Mr. CHAVEZ. Mr. President, we are now considering legislation which is supposed to be needed. The chairman of the Committee on Agriculture and Forestry tells us that other legislation is needed to take care of wetbacks. That is agreed. So what is the objection to taking care of them in this bill?

Mr. WHERRY. That is what I am asking.

Mr. CHAVEZ. That is easy. The Senate has the subject before it.

Mr. THYE. Mr. President, will the Senator yield for a question?

Mr. CHAVEZ. I yield.

Mr. THYE. I should like to ask the able Senator whether the wetbacks are not in this country illegally, and whether the immigration authorities do not have full power to deal with any person who is within the United States illegally? We may legislate as much as we desire, but we are never going to enact legislation which will prevent a wetback from swimming across the river into this country and then later swimming back to his own country. The Senator knows that to be a fact, does he not?

Mr. CHAVEZ. In order to show the Senator how it actually works out, let me say that many years ago, during prohibition days, I happened to be in a Federal court when Judge Neblett, who died about 4 or 5 months ago, was sentencing a Mexican woman immigrant. She could not speak English, so the judge said to me, "Mr. Chavez, come over here and interpret." Senators know how judges are. He asked the woman, "Have you anything you want to say?" She said, "No." Finally, the judge said he was going to send her to the Federal reformatory for women, at Alderson, W. Va., and he sentenced her to 2 years. After he had imposed sentence, she, speaking to me in Spanish, said, "Will you kindly ask the judge if I can make a little statement?" The judge gave her permission to speak. She said, "I want to thank the judge for being so kind to me, in giving me 2 years, but I would have been more grateful if he had given me 5 years." She said, "I should have preferred to remain in the reformatory for women in West Virginia 5 years, rather than be sent back to Mexico at the end of 2 years." That is the way many of them feel. They want to be able at least to get something to eat, and that is why they are willing to work for 60 or 70 cents a day. It is a pernicious system. But we cannot blame them. They are hungry. Sixty cents a day is a large sum of money in old Mexico.

It is quite a problem throughout the Southwest, as to how to deal with the situation. But we must face it. Senators heard read a telegram from the head of a veterans' organization in Corpus Christi, Tex., a man representing about 50,000 Texas boys of Mexican origin, who complain that they cannot compete with this class of labor. They are unable to feed their families. I ask Senators, do they deserve protection? This situation exists in my State, in the case of people whose ancestors have lived there for generations, perhaps for 400 years, people who now have sons fighting in the United States Army, not the Mexican Army, but the United States Army, the Marine Corps, and the Navy. Because they have to compete with this kind of competition, they have to leave home and family to try to get a piece of work in Nebraska or, possibly, in Wyoming. So the situation is serious. It will not only affect the American way of life unless something is done about it, but it will affect American labor, American standards of living, and American health. How can we look after 500,000 wetbacks, so far as the health laws are concerned? If they can beat the immigration laws, it is easy to beat the health laws. That is very dangerous. It is a problem of the Southwest. I want Senators seriously to consider that fact, and to realize that it is a matter which affects everyone.

I stated a little while ago that we had spent \$120,000,000 to combat the foot-and-mouth disease, but we let into the country possibly a million wetbacks, the result of which is worse than the disease which I mentioned.

Mr. President, in its April 9 issue, *Time* magazine dealt with the problem, and *Newsweek*, in its April 16 issue, contained an article about the Woeful Wetbacks. The *Washington Post* carried an editorial on April 9, deploring, "the influx of aliens willing to work for wages that are indecently low according to American standards."

What do we hope for? What do we dream? With world conditions as they are, we tell the rest of the world to help save democracy. We sermonize to the entire world, yet we are willing to undermine democracy by importing labor without proper protection for American labor.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. CORDON. I am sympathetic with the Senator's views in connection with this matter, as I think he knows. I should like to have the Senator's view, because he comes from a State where the problem exists.

Mr. CHAVEZ. This is not easy for me. The position I take is probably not even good politics, but it is American, and that is enough.

Mr. CORDON. My question goes to this proposition: The proposed legislation, as reported by the committee, provides for orderly entrance into this country of Mexican nationals for specified periods of time, and under as much control, perhaps, as we can apply, but with the added value to the laborers of their

being here legally, and, therefore, being in position to bargain with their employers for a higher rate of wages than they could obtain as fly-by-nights or wetbacks. In the Senator's view, would the enactment of the bill, as reported, in itself have a tendency to lessen the influx of Mexican laborers who come in illegally, and who, because of that fact, are discriminated against in the wage field?

Mr. CHAVEZ. I think the Senator from Oregon is approaching the subject in the correct way. I do not have any objection at all to making foreign labor available to American farmers. I want to help them, but, in helping them, I want to consider the effects of that assistance on the entire social and political structure. I think the approach suggested is good. The only difficulty is that it does not take care of the problem in the way it is intended it should be handled.

I do not like to have a bill passed which would show preference to any foreigners—

Mr. CORDON. Nor do I.

Mr. CHAVEZ. No matter how I feel toward them. I have devoted 16 years to helping them, from the border to Panama City, and all through the Republic of Mexico. I want to get along with them, and I do get along with them. But we may as well make up our minds that any piece of legislation on this subject should at least provide that if only one laborer is available, and he is an American citizen, he should not be discriminated against merely because someone might get an advantage by bringing in labor from the outside.

Mr. CORDON. I am in entire agreement with the Senator from New Mexico in that respect. I am rather inclined to think that the requirement in the bill is about as stringent and strong as we could make it, if we are to expect to get compliance. The thought comes to me that it is humanly impossible for any administrative officer ever to be able honestly to certify that there does not exist in the United States an individual who is available for labor. Would the Senator permit me to embroider that statement a little bit?

Mr. CHAVEZ. Certainly.

Mr. CORDON. It seems to me there must be a rule of reason somewhere that would permit of an administrative officer making a finding based upon the best evidence obtainable. If we have done that, then until such time as we emerge entirely from this period of emergency and can develop a coordinated program of aid to domestic agricultural labor, so that we may provide it with information as to seasonal opportunities here, there, and yonder over the Nation—

Mr. CHAVEZ. That is the point.

Mr. CORDON. Until we have done that, it is utterly impossible for us ever to approximate the complete utilization of our domestic labor.

Mr. CHAVEZ. That is correct. The Senator from Oregon is a member of the Committee on Appropriations. I happen to handle the appropriation bill for Federal Security and the Department of Labor. We appropriate millions of dol-

lars every year for the Employment Bureau in that particular region of Federal activity. A short time ago Mr. Goodwin, in the hearings, justified the item concerning farm labor. Of course, I was interested in the labor proposition, including farm labor, because I knew that this bill was coming up. I read from the testimony of Mr. Goodwin:

Senator CHAVEZ. Yes. Now to some extent your work is concerned with farm laborers; is it not?

Mr. GOODWIN. That is a very important part of our job.

Senator CHAVEZ. Of course it is important, but what are you doing—what is the agency doing in order to get American labor to those spots? I am talking about American labor now.

Mr. GOODWIN. In the farm program we are putting all of the emphasis we can on the utilization of domestic labor. We are trying to get it transferred from one place to another; that is, where it is available in one place, and needed some place else.

Senator CHAVEZ. What are you doing about the Indians? They can get killed on Okinawa or raise a flag on Iwo Jima, but what are you doing to get them a job on a farm?

Mr. GOODWIN. The Indians?

Senator CHAVEZ. Yes.

Mr. GOODWIN. We have worked out programs with the Indian Service for the use of the Indians.

Here is the agency of the Federal Government which has to do with taking care of unemployment, but it has not investigated that source of supply. It is a large source of supply. There has not been sufficient study. As a matter of fact, there has been complete neglect in connection with investigating the availability of American labor even for farmers.

Mr. CORDON. Mr. President, will the Senator yield further?

Mr. CHAVEZ. I yield.

Mr. CORDON. The Senator recalls, I am sure, the appropriation made last year and the year before for the Bureau of Indian Affairs, for the purpose of aiding in the placement of Indian labor, particularly agricultural labor.

Mr. CHAVEZ. That is correct.

Mr. CORDON. At that time, as I recall, the committee had assurance, after close liaison between the service of the Bureau of Indian Affairs and the Department of Labor's employment service, which appeared to me to offer promise, at least, of active effort on the part of both bureaus in that particular field.

Mr. CHAVEZ. The only difficulty that I have with the idea is that I do not like to have Indians treated as separate subjects.

Mr. CORDON. Neither do I.

Mr. CHAVEZ. I like to see an employment bureau treat an Indian as just another American. If it is necessary for him to work, he should have the opportunity to do so. Our country has become great through hard labor on the part of its citizens. I know the history of the State of North Dakota. I know that in the early days the pioneers who went there had to work very hard. That is all the Indian wants to do. Instead of isolating him, putting him under the control of the Indian Bureau, and letting him be treated as the Indian Bureau desires to treat him, namely, as a ward,

he should be treated as a human being, and as any other American is treated. If he cannot earn more than \$3 a day, that is too bad; but at least he should be given an opportunity, in the same way that other Americans are given an opportunity. The Indian does not want anyone to feel sorry for him. I do not like charity for an Indian. I want the Indian to be entitled to his rights, pure and simple, and nothing else. If we leave him entirely to the Indian Bureau, the poor Indian will have to turn to the east and say "Allah." I do not like that at all.

Mr. Goodwin, testifying before the Committee on Appropriations, proved conclusively, in my opinion, that much of the farm labor of this country has not been looked into, including Mr. Indian. I do not even like to refer to him as Mr. Indian. I do not like to see an amendment introduced which in effect says, "Be good to the Indian." As an American, he is entitled to everything that any other American is entitled to. We do not want anyone to be sorry for the Indian. We want him to be subject to law. That is what Mr. Indian wants. That is what the Puerto Rican wants. What is the use of adding to the bill an amendment which says, "Take care of and be nice to the Puerto Rican and the Indian"? Give them fair play. Let us say that we will be nice to all Americans, including the Puerto Ricans and the Indians. That is all we expect of the bill. We are willing to cooperate along the lines suggested by the Senator from Oregon, and what I know are the ideas of my good friend from Louisiana [Mr. ELLENDER].

Mr. CORDON. Mr. President, will the Senator yield further?

Mr. CHAVEZ. I yield.

Mr. CORDON. If the bill as reported by the committee is enacted, and receiving points are established along the American-Mexican border, would the fact that labor was made available at such points to employers in agriculture along the border, where at the present time the wetback problem is prevalent, aid in combating the problem, by reason of the fact that an employer of a large amount of labor in that area, who did not go to such a center to receive his employees, would, as a result, have a little closer scrutiny by immigration officers than if he had obtained his full quota of employees in the way provided by the bill?

Mr. CHAVEZ. I think that is another bad feature of the bill. The bill is sectional in its application. I like legislation which affects all States. The only one who would get any advantage from the bill is the employer who is close to the wetback.

Mr. CORDON. Mr. President, will the Senator yield further?

Mr. CHAVEZ. I yield.

Mr. CORDON. If the bill should be amended, as I hope it will be amended, so as to provide an equitable distribution of workers from Mexico, so far as distant areas are concerned, those which are from 500 to 2,500 miles from the Mexican border—

Mr. CHAVEZ. They confront difficulties.

Mr. CORDON. Yes. Would those areas have to any appreciable extent in their employ any natives of Mexico who came in illegally? As I understand, the problem of the wetback exists chiefly along the border.

Mr. CHAVEZ. Yes. I presume the Senator from Oregon has been to El Paso, Tex. El Paso is on the border. There are two bridges across the Rio Grande at El Paso. All that is necessary to cross the border is to pay a small fee. I believe it costs three Mexican pennies to cross from the Mexican side to the American side. It takes about 5 minutes to walk across the bridge, from one side of the river to the other. Once the Mexicans have come across the bridge they scatter to other States. In the case of my State, it is a matter of walking about a mile. At one place a wetback does not even have to cross a bridge. He can walk from the Mexican side to New Mexican or Texas territory. The same thing happens in Arizona and in California, and along the Big Bend of the Rio Grande, clear to Brownsville, Tex. Naturally the ones who would get the benefit of the centers would be the men along the border. If a farmer takes his automobile across the bridge it costs him a quarter. It need not cost him anything, because he can make his arrangements at the border. However, if the pear grower at Medford, Oreg., thinks he needs 50 men to pick pears he would have to go from Medford, Oreg., to the Mexican border to make his arrangements. In the case of potatoes or wheat, the same thing would hold true. The grower would have to go perhaps 2,500 miles. So in that respect also the bill is unfair.

Mr. THYE. Mr. President, will the Senator yield for one question?

Mr. CHAVEZ. Yes.

Mr. THYE. How would the Senator propose to amend the bill so as to overcome such specific weakness in it?

Mr. CHAVEZ. The way to do it is to make the bill applicable nationally in every respect.

Mr. THYE. It is, is it not? How can we specifically legislate to deny a Mexican the right to pay his 3 pennies to walk across the bridge?

Mr. CHAVEZ. We cannot.

Mr. THYE. How does the Senator from New Mexico propose to handle the problem? I would like to have him tell us how he proposes to handle the immigration question.

Mr. CHAVEZ. I am not talking about the immigration question. I am talking about the actual and practical difficulty which confronts a farmer who is 2,000 or 2,500 miles from the border, as compared with the farmer who is close to the border. The one who would get the real advantage would be the man along the border. He could get workers in a hurry and at very little cost.

Mr. THYE. For a number of years the Mexican worker has been employed in the onion fields, the sugar-beet fields, and in other types of stoop labor in which the average citizen of the United States would not engage. It would be immaterial whether such labor were offered to him, because he would not take it. That is also true with respect to potatoes.

Mr. CHAVEZ. Yes.

Mr. THYE. It is true in late June in the harvesting of canning peas, in which there is a great deal of hard work involved in the handling of the green pea vines. It is also true during the summer in the harvesting of sweet corn. It is a slow, hard hand job. The average American worker will not turn to it if he can find any other kind of employment.

Mr. CHAVEZ. I understand.

Mr. THYE. So the fact is that in the North in Iowa, Minnesota, and Wisconsin—I am speaking now only of those States about which I personally know something—one can offer the worker any price he pleases to offer. He can offer 12 cents a bushel to dig potatoes, but he cannot find domestic workers to do the job. He can find Mexican workers.

The same thing is true with respect to harvesting peas and harvesting sweet corn. The sugar-beet work is an all-season job. From the time the sugar beets are planted in the spring they require thinning. The Mexican worker is perfectly willing to do that work and very happy to get the contract for it. The next process is weeding. Following the weeding comes the fall harvest. The beet must be first mechanically pulled, and then the Mexican tops the beet. In other words, he chops the green foliage off the root. All this is tedious work. We cannot find American workers who are willing to accept such work.

That is the question with which we are faced in the United States. Not one of us would discriminate against the American worker. Not one of us is willing to legislate in such a way as to deny an American man or woman the opportunity for a job. But when all is said and done, we have not enough domestic workers to do the work. We must try to provide labor. In World War II we had German prisoners all over the United States doing much of that hand labor. Following the return of the German prisoners, we then had to rely on offshore or imported labor.

Mr. CHAVEZ. That is correct.

Mr. THYE. The Mexican was happy to go to Minnesota and the northern area of the United States to take a job.

Mr. CHAVEZ. Of course he was.

Mr. THYE. If we can find a way to amend the bill so as to overcome the Senator's fear, I am sure that all of us will join with him. But we cannot legislate to fill all the jobs in the United States which require agricultural workers by calling on domestic labor, because there is not enough domestic labor to do the work. We must have offshore workers to supplement the supply of domestic labor.

Mr. CHAVEZ. According to some statements which have been inserted in the record of this discussion here are plenty of Americans willing to do the work. Let me ask the Senator a question. Of course I know that the average American would not want to do stoop labor. He is used to different types of labor. But there are some who, because of necessity, must do it. They are fine Americans. Everything is not rosy with them. The Senator has been Governor of his State, and I am sure that he has

looked into many of these questions. Even during my days in the Congress, Indians from Minnesota have told me that they could not find work, even when they wanted to work. We felt sorry for them, and appropriated money to take care of them. Are there not at least some citizens of that type available in Minnesota, who would work if given an opportunity?

Mr. THYE. The Minnesota Indian has always had the opportunity to take a job wherever the job was crying for the man to take it. Minnesota Indians have their own lumber industries. They have their own sawmills. They have a fishery industry. They have their own fresh fish packing activities.

Mr. CHAVEZ. And they have beautiful lakes.

Mr. THYE. Indeed they have—more than 10,000 of them. I am advertising a little.

Nevertheless, in spite of all that, last fall, during late October, when we were threatened with a freeze, I received a great number of calls from the northwestern section of Minnesota where potatoes were then being harvested. It was late in the year. The producer was fearful that his potato crop or sugar-beet crop would be damaged by frost, or possibly buried by a snow storm.

I received a great number of calls from producers in that area begging for the opportunity to set aside a Federal law. Of course, a Federal law cannot be set aside in that manner; but they wanted a certain provision of Federal law set aside so that school children could have the privilege of being excused from school for a few days, to go into the fields and dig potatoes or help to harvest sugar beets. The producer was willing to pay almost any price they might ask, in order to get the job done.

If that situation existed last fall, before the extremely critical manpower shortage which the Korean crisis has brought about as we have remobilized, what may we anticipate the situation to be this fall? Today the defense plants are bidding for workers. Last fall they were not necessarily bidding for workers. That is the only reason why I personally recognize that we must take some action by way of enacting legislation which will permit the importation of off-shore workers. I am confident that we are not going to have a sufficient supply of domestic workers.

Mr. CHAVEZ. I assure the Senator from Minnesota that there is no intention to oppose all legislation along this line. I believe that legislation is needed, but I do not believe that the bill as reported to the Senate carries out the idea which the Senator from Minnesota has in mind. I know the history of the importation of foreign labor, especially the classes which we are now discussing. During the war they did well and contributed a great deal, not only to farm labor, but also to labor in factories, plants, and railroads.

The Federal Government has now in the Treasury possibly a little more than \$3,000,000 in the railroad retirement fund, which was paid in by Mexican workers, aliens. They contributed to the fund. We still have the money in the

Treasury. It was deducted from their pay. As a matter of fact, I believe that the Senator from Ohio introduced a bill to help them get their money back. It belongs to them. However, we still have it.

As the Senator says, the supply of migratory laborers begins early in the spring, possibly working on asparagus and peas in California. Eventually they finish with potatoes and beets in the northern section of the United States. We want to help those laborers. From the standpoint of humanity, there is no reason why I should object to them obtaining employment. However, I know that the situation is quite difficult, because we are dealing with people who do not think as does the Senator from Minnesota. That is the reason why they work at stoop labor, which the average American will not accept. I do not want to interfere with the idea of the average American by importing very cheap labor to compete with the class of labor which will not stoop to conquer.

Mr. THYE. Mr. President, will the Senator yield for a question?

Mr. CHAVEZ. I do not want anyone's necessity to be the basis for the American standard of living.

Mr. THYE. Mr. President, will the Senator yield for a question?

Mr. CHAVEZ. Certainly.

Mr. THYE. Of course, in any community to which these workers go they must be paid the going wage. I realize the situation which the Senator recognizes as existing, in that workers who are illegally in the country are exploited. They do not have the benefit of negotiation. They are not under the supervision of State employment officers or Federal employment officers. When I served as governor of the State, there were many conferences with State officials in an effort to protect the Mexican workers.

Mr. CHAVEZ. Let me point out there that if I felt that labor would be treated everywhere as it is treated by the employment agency in the State of Minnesota, I would be for the bill. There may be some States, perhaps, where some persons do not want the prevailing wage paid either for domestic labor or imported labor.

Mr. THYE. I thank the Senator for the compliment and I may say that the employment office in Minnesota can stand up under the light of public inspection at any time. While I was governor of the State we concerned ourselves with the treatment received by the imported worker, the conditions under which he was compelled to live, and other factors.

My real concern here, of course, is with what we may call the wetbacks, those who come into the United States illegally. Such persons may enter into contracts for less than the going wage in a community. I do not know how we can legislate to bring workers into the United States and at the same time take care of that particular question, except by strengthening our immigration authorities, and increasing their power to patrol and inspect more carefully the border so as to guard against illegal entry.

Mr. CHAVEZ. Let us take one thing at a time. The Senator from Minnesota spoke of the fact that there are many types of work American laborers will not perform.

Mr. THYE. Yes.

Mr. CHAVEZ. Very well. Let us concede for the sake of the argument that American labor will not be available for certain types of work. Therefore, we must import outside labor. In carrying out that plan, what is there wrong in protecting our own labor first? Charity should begin at home. Why should it be wrong for us to place in the basic law the provision that first priority should go to American labor? We do it with respect to everything else.

Mr. THYE. Does not the law provide that the employment office must certify the need for labor, and if it does not so certify, the area will not receive the labor?

Mr. CHAVEZ. No; but I have an amendment which will make that compulsory; which recognizes the principle of taking care, for example, of New Mexico cotton first—and I should prefer that New Mexico hides were taken care of first, even before those that come from the State of Minnesota. Let us recognize that principle by a provision we place in the law. As a matter of practice, that would not mean a thing, except that we recognize the principle, because as the Senator from Minnesota said, and I think correctly, in many instances the American laborer will not undertake certain classes of work.

As the Senator knows, there are many Indians in my State. There are many Navajos there. If they are not available, very well, let us import labor from across the border. Many telegrams were sent to me in which the senders agreed with the chairman of the committee. Some telegrams came from Alamogordo, where the Mescalero Apaches live, but I never saw them working in the cotton fields. We appropriate money sometimes to help them. I had that matter in mind so far as labor is concerned.

Mr. President, I should like to proceed now with my statement.

Mr. THYE. I thank the Senator for having yielded and permitted me to take part in the discussion of the question.

Mr. CHAVEZ. I had been reading from an editorial in the Washington Post. It concluded with the following words:

We agree with the Commission that our efforts in the future should be directed toward increasing the number of our own farm workers and eliminating dependence on foreign labor.

The Los Angeles News and many other newspapers and magazines have published articles and editorials dealing with the problem.

My purpose in referring to the great amount of attention recently given to this question by the press of the Nation is to focus our thinking on the effect of the proposed legislation on the conditions described. I cannot see how this legislation will help remedy these conditions. I fear it will do just the reverse. I am afraid it will aggravate them. Many of the articles make it clear that

there are large numbers of unemployed workers in the area into which the wet-backs and legal Mexican immigrants come. These unemployed are rejected by the growers because they prefer the foreign labor which is cheaper for them. Of the half million domestic native migrant workers—I am talking about a half million domestic migrant workers, not foreign migrant workers—a large proportion are descendants of Anglo-Americans from the eastern seaboard who crossed the Appalachians, settled in the once-fertile valleys of the Southwest and later were "traced off" the land to become "Okies" made famous by John Steinbeck in his *Grapes of Wrath*. Another large number of these migrants, as I personally know, are Spanish-speaking Americans whose ancestors have been in this country for hundreds of years. Prior to World War II many of the people of my State of New Mexico also followed the crops, going from northern New Mexico into the Rio Grande Valley—into the neighboring States of Colorado and Arizona—obtaining employment to supplement the income they received from their own small farms. During and since World War II most of these people have found it increasingly difficult to obtain employment in the large commercial farms. So, too, have the American Indians in my State—the Navajos, the Apaches, the Pueblos, and others—found difficulty, as their testimony before the Committee on Agriculture and Forestry shows. Some of those Indians appeared before the committees of the Senate and the House and testified in person.

The President's Commission, in its report, gives verification to the statements I have just made. It declares that if our domestic labor supply is recruited and transported from places where there is no employment to areas of labor shortage there will be no need, as I pointed out at the beginning, to import foreign workers for food and fiber production in the present defense emergency. As chairman of a subcommittee on appropriations, I recently conducted hearings on the Labor Department appropriations for the current year. I questioned the Director of Employment Security about his handling of this farm-labor supply program. Some of his answers seemed to me something less than satisfactory, especially regarding employment of Puerto Ricans and American Indians. I have read excerpts from that testimony heretofore.

It is not alone, however, in the utilization of our citizens from Puerto Rico and Hawaii and from among our own American Indians that we have failed. There is also a vast reservoir of potential agricultural workers among the Nation's million or more marginal farm families—farm operators whose total value of farm production, including farm products used in the home, did not exceed \$1,500 in recent years. A recent study of the Joint Congressional Committee on the Economic Report, prepared and issued under the supervision of a subcommittee chairmanned by the able Senator from Alabama [Mr. SPARKMAN] declared that the underem-

ployment among these marginal farmers is depriving the Nation of the equivalent of more than 2,500,000 workers. That is, the underemployment of marginal farmers throughout the United States, so the Subcommittee on the Economic Report reported, is depriving the Nation of the equivalent of more than 2,500,000 workers.

That study further pointed out that there are a million and a half rural non-farm families with family incomes of \$2,000 or less in 1948. "Full employment of the workers in these families," the study says, "would add approximately 900,000 workers to the effective labor force."

The legislation we are now considering has nothing in it aimed at improving our methods of developing an adequate agricultural-labor supply from among the millions of underemployed and poverty-ridden families discussed by the Sparkman report. No; it limits itself to the importation of cheap labor from Mexico. This raises a serious question of public policy which the Congress of the United States must face. As the President's Commission put it:

Shall we continue indefinitely to have low work standards and conditions in agriculture, thus depending on the underprivileged and the unfortunate—

Those who are subject to hunger, starvation, and empty stomachs; and, of course, the purpose of this measure is to deal with that situation—

home and abroad to supply and replenish our seasonal and migratory work force?

Mr. President, should we attempt to ruin a segment of labor—agricultural labor—and try to provide for it an economy quite different from that applying to any other industry in our country? On that point, I read further from the report of the President's Commission:

Or shall we do in agriculture what we have already done in other sectors of our economy—create honest-to-goodness jobs which will offer a decent living so that domestic workers, without being forced by dire necessity, will be willing to stay in agriculture and become a dependable labor supply? As farm employers want able and willing workers when needed, so do workers want reliable jobs which yield a fair living.

Mr. President, the workers want, and should have, at least a decent American standard of living. Of course, we want labor to be available for the farmer when he needs it, but we also want the labor to have the benefit of our American standards.

I read further from the report of the President's Commission:

We have long wavered and compromised on the issue of migratory labor in agriculture. We have failed to adopt policies designed to insure an adequate supply of such labor at decent standards of employment.

That is the test.

Actually, we have done worse than that. We have used the institutions of government to procure alien labor willing to work under obsolete and backward conditions and thus to perpetuate those very conditions. This not only entrenches a bad system, it expands it.

At that point in their report, Mr. President, the Commission and its able

staff make a statement which I think is of paramount and fundamental importance. That statement is:

We have not only undermined the standards of employment for migratory farm workers, we have impaired the economic and social position of the family farm operator.

I give the last part of that statement special emphasis; I repeat it:

We have impaired the economic and social position of the family farm operator.

Before quoting further what the President's Commission says on this crucial question, I remind the Senate that a study of history will show that a major factor in the decline and fall of empires and nations—and that could happen here in the United States, Mr. President—has been the abandonment of family-type farm ownership and operation in favor of the large-scale, absentee-ownership type of operation. Mr. President, I chance to be a member of the Appropriations Committee, and on that committee I happen to serve with the distinguished junior Senator from Georgia [Mr. RUSSELL] on the Subcommittee on Agricultural Appropriations. I wonder whether Senators know that of the 6,500,000 farms in the United States, practically half of them have absentee owners. That is the reason for the concern of some of us, who do not want the small farmer to be further harmed by making him compete with cheap labor.

Mr. President, the little country of Finland is great and able to stand up, even against Russia, because 96 percent of the farms in Finland are owned by those who farm the land. Some of them may have only 1 acre of land; but, like the English, they are able to say, "My castle may be but a hovel, but it is mine." So each of those farmers farms his own land, and does so intensively.

On the other hand, I do not know what would happen as a result of the importation of cheap foreign labor, which is the subject with which the pending measure deals. Perhaps 125,000 of our farms—those owned by large-scale operators—might receive some advantage from such importation; but it seems to me that our small-farm operators would be seriously injured.

I read further from the report of the President's Commission:

The operator of a family-type farm is a capitalist, but one whose income is derived primarily from his own labor.

Of course, Mr. President, a man who is farming 3 acres, and is raising truck crops—cabbage, radishes, tomatoes, and so forth—which he sells on the market, is a capitalist, even though he depends upon his wife and his children, in addition to himself in growing his crop. In fact, probably his children are unable to have a holiday on Saturday, because they must pull weeds on the farm. However, that man is a capitalist.

I read further from the report:

In this sense he is also a laborer. He aspires to an income adequate to maintain an American standard of living. He is, therefore, in a poor position to compete with the foreign worker who is willing to accept lower wages, who leaves his family at home, and who makes no demand on his employer or

the communities after the crop season's work is done.

Mr. President, I wish to point out to my good friend, the Senator from Illinois [Mr. DOUGLAS], that those who will be the recipients of work under this bill, if it is enacted, are more to be pitied than censured. Stern necessity confronts them. Of course, we have heard of church mice and of how poor they are, but I venture the assertion that some of the people dealt with by this bill are poorer than the poorest of church mice. Those people need work very badly. However, in trying to be charitable and kindly toward them, we must not let anything undermine our own economic system. That is the basis of my opposition to this bill. I believe in the hereafter, and I wish to be charitable. I think my record in this body is about as good as that of any other Member of this body, in that particular respect. I have voted without quibbling for the appropriation of billions of dollars to help starving people in Asia and in Europe.

However, I cannot convince myself that I am justified in doing that, if at the same time I neglect American citizens, even when we are dealing with charity.

Mr. President, I ask my colleagues to consider a telegram which I have received. It comes from the American GI Forum of Texas, an independent veterans' organization, and is signed by Hector P. Garcia, M. D., chairman:

CORPUS CHRISTI, TEX., April 29, 1951.
Hon. DENNIS CHAVEZ,
United States Senate,
Washington, D. C.:

American GI Forum Veterans' Organization representing more than 50,000 American veterans of Mexican origin wish to ask you to continue to fight to exclude foreign workers, especially in Texas. Thousands of veterans not able to make decent living because of low-wage competition by wetbacks and imported labor. Thousands of children of veterans are not able to enjoy good health because veterans and their families are forced to work for starvation wages because of imported labor. Americans of Mexican origin in Texas must have opportunity to live like human beings and first-class citizens. Best way to do it is to stop all imported labor.

What does the President's Commission say? What does the average farmer want? What does the average citizen want, the man who aspires to an income which will be adequate to maintain an American standard of living? He wants his children to be able to go to school, and later to be able to make their own living. American boys who have fought for the flag are entitled to decent treatment, too. The President's Commission, in the report to which I have referred, continues:

Cheap foreign labor is advantageous to the owners of large-scale farms which employ "stoop" labor in great quantities. Such farms are only 2 percent of the Nation's farm units—

As I pointed out earlier—approximately 125,000, and only a fraction of this small number employs most of the alien farm workers. This cheap labor is in competition with the great group of family-type farms. It is hardly consistent

for our Government to encourage a family type of agriculture and at the same time give direct assistance to the operators of large-scale farms in recruiting and employing low-wage foreign workers whose products compete with the family-type farms.

It is not surprising, therefore, that the farm organizations, typified by the National Farmers' Union and certain State branches of the American Farm Bureau Federation, and the Grange, which genuinely espouse family-type farming as a central policy in agriculture, are not sympathetic to legislation which gives advantage to the corporate, absentee-ownership type of farming. Even in my State, units of the American Farm Bureau Federation have telegraphed me expressing opposition to the committee bill.

Mr. President, if you will look back over the fight on the Farm Security Administration—whose primary objective was to reestablish in family-type farming agricultural workers, tenants, share croppers, and farm operators who had been pushed off the land—you will see what I mean.

Great progress has been made in that respect throughout the United States. Nor is it surprising, Mr. President, to find all of organized labor strongly opposed to this proposed legislation. Industrial labor understandably sees a serious threat to its standards in the flooding into this country of hundreds of thousands of underprivileged alien workers, multitudes of whom, as the Commission report makes clear, remain in this country illegally, even though they came into the country legally. These pools of alien labor willing to accept low wages obviously tend to tear down the standards of all labor, whether agricultural or industrial. Nor is it to be wondered at, that the churches and religious organizations of our country have become aroused at the conditions of this migratory labor which has been recently so tellingly described in the newspaper and magazine articles to which I have referred. These conditions are a scandal to our Nation and are a serious weakness before the world in our Nation's leadership in the fight against our enemies in the Kremlin. So long as they are allowed to continue—and, as I have said several times, the proposed legislation does nothing to remedy them, but will, in my judgment, tend to aggravate them—we as a people cannot stand before other peoples in other nations and maintain that we know so well how to order the affairs of people within our own borders that we may teach the rest of the world how to order its affairs. No, Mr. President, this proposed measure fails completely to face the grave problems with which we are confronted respecting agricultural labor. I introduced a measure, Senate bill 949, which I felt took some steps in the direction of facing those problems. It was not reported by the Senate Agriculture Committee. In truth—if we are to judge by the measure reported by the committee—the objectives my bill sought to achieve were scarcely considered at all by the committee.

So, with the pending committee bill, the best I can do is to offer, and I have

offered, a number of amendments in an attempt to accomplish what my bill sought to do. I shall discuss them in due time. I hope I shall be able to persuade a majority of the members of the Senate to support my amendments, because I honestly believe we will make a major blunder, both for our domestic social and political economy and even in our international relations, if we permit the committee bill to become a law.

In conclusion, I may say that so far as the pending bill is concerned, in its present form, as I stated earlier, without in any way questioning the motives or the sincerity of purpose of the members of the Committee on Agriculture and Forestry, I firmly believe that it represents a backward step. In my opinion it would undo many of the things which were done in the interest of the country by the great Lincoln. In my State it would bring about the return of peonage, which became unlawful in 1868. It would do away with all of the notable and laudable ideals, traditions, and concepts for which America has stood. It would do violence to those things which were in the minds of the founding fathers, particularly as expressed in the Declaration of Independence, and to all the concepts embodied within the preamble of the Constitution which begins, "We, the people of the United States."

The bill is un-American. It would undermine everything for which we have stood, so far as human liberty and American standards are concerned. True, it would benefit a few; but at what expense? At the expense of undermining our economy, at the expense of undermining our health standards, at the expense of bringing about human misery and human exploitation. I trust that the bill in its present form will not pass.

RELATION OF AIR POWER TO THE SAFETY OF THE NATION

Mr. LODGE and Mr. HUMPHREY addressed the Chair.

The PRESIDENT pro tempore. Has the Senator from New Mexico yielded the floor?

Mr. CHAVEZ. I have concluded.
The PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. LODGE. Mr. President, I shall be glad to yield to any Senator who wishes to make a routine insertion in the Record. Other than that, I do not wish to yield. I have been waiting for quite a while to make this speech. It is not going to take very long, so I would rather not yield for anything other than a routine insertion.

Mr. HUMPHREY. I may say to the Senator from Massachusetts that my only purpose in rising was to continue with the discussion on the pending legislation. I have been informed now that an understanding was reached earlier this morning that the Senator from Massachusetts was to make a short address to the Senate on another subject.

Mr. LODGE. Mr. President, I wish to speak upon a subject other than the one which is pending. I feel justified in doing so, because of its great importance.

I wish to make an urgent plea today for something which involves the safety

DIGEST

OF

CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Division of Legislative Reports
(For Department staff only)

Issued May 2, 1951
For actions of May 1, 1951
82nd-1st, No. 78

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HIGHLIGHTS: Senate debated farm-labor bill. Sens. Thye and Hickenlooper predicted meat shortage because of recent price-control order. House debated Interior appropriation bill, reducing several items, including reclamation. House received conference report on bill to transfer Morgan Horse Farm to Vt. Agricultural College. House committee submitted minority views on farm-labor bill.

SENATE

1. **FARM LABOR.** Continued debate on S. 984, to provide for importation of Mexican farm laborers, agreeing to all of the committee amendments (pp. 4687, 4699-721, 4725-9). Rejected, 12-59, the Chavez amendment providing for a finding by the Labor Department that the supply of domestic agricultural workers is insufficient before importing foreign workers (pp. 4712-21). After this vote, Sen. Chavez decided not to submit his other amendments, but they were printed in the Record with the reasons (pp. 4726-8). Agreed to an Anderson amendment providing for certification by the Secretary of Labor rather than by the State Directors of Employment Security (p. 4725). Pending at recess was a Cordon amendment providing that reception centers for foreign workers be distributed geographically according to the need for such workers (pp. 4728-31).
2. **PRICE CONTROL.** Sens. Thye, Hickenlooper, and others predicted a severe meat shortage because of the recent OPS order and said the farmers would suffer from the order (pp. 4722-5).
3. **RFC LOANS.** Sen. Byrd inserted his testimony and a statement from Jesse Jones favoring abolition of RFC. In his statement Sen. Byrd referred to other Federal agencies which are available for necessary loans, including FCA agencies, REA, CCC, and Farmers Home Administration. (pp. 4682-7.)
4. **THIRD SUPPLEMENTAL APPROPRIATION BILL, 1951.** In addition to the items mentioned in Digest 77, the Appropriations Committee made the following changes in this bill, H. R. 3587: Added an item of \$50,000,000 for school construction pursuant to Public Law 815, 81st Congress. Changed the title "Niagara Power Development" to "Niagara Redevelopment Remedial Works Investigation." Reduced Federal Civil Defense Administration by \$7,750,000. Restored the provision regarding strikes against the Government in the same form as reported by the House committee before being eliminated on a point of order. (For additional

items see Digest 62.)

HOUSE

5. INTERIOR DEPARTMENT APPROPRIATION BILL, 1952. Continued debate on this bill, H. R. 3790 (pp. 4739-77). Agreed to the following amendments, among others:
By Rep. Taber, and modified by an amendment by Rep. Lovre, to reduce by \$10,000,000 the funds for construction and rehabilitation of reclamation projects (pp. 4739-61). (Rep. Lovre's amendment struck out language which would have required that the cut "be deducted from the estimates for power and transmission lines.)
By Rep. Keating, N. Y., to prohibit the use of funds for transmission lines in areas covered by power wheeling service contracts (pp. 4761-71).
By Rep. Phillips, Calif., to reduce by \$291,000 the funds for operation and maintenance, Bureau of Reclamation, and delete language barring use of funds for payment of operation and maintenance costs of Imperial Dam and the All-American Canal (pp. 4771-4).
By Rep. Davis, Ga., to cut \$1 million from the appropriation for surveys, investigations, and research by Geological Survey (pp. 4777-8).
A point of order by Rep. Taber was sustained against a provision transferring the Fort Peck project in Mont. from the Army Department to Interior (p. 4775). And a point of order by Rep. Bailey, W. Va., was sustained against language rescinding the unused balance of the contract authorization of \$15 million under the head, "Synthetic liquid fuels" (p. 4778).
6. RESEARCH LANDS. Received the conference report on S. 271, to provide for the transfer of the Morgan Horse Farm to the Vermont Agricultural College (H. Rept. 401) (pp. 4779, 4783). The conferees agreed on substitute language which eliminates the provision reserving any minerals to the U. S. and providing that the property revert to the U. S. if put to any use other than for the benefit of agriculture. It also provides that "such real and personal property and research records shall be transferred upon the express condition that they shall be used by the Vermont Agricultural College for the benefit of agriculture for such period as may be agreed upon by the Secretary and the said college at the time of transfer."
7. FARM LABOR. Received from the Agriculture Committee the minority views on H. R. 3233, the permit the importation of Mexican farm laborers into the U. S. under certain conditions (H. Rept. 326, pt. 2) (p. 4782).
8. CLAIMS; LOANS. Passed without amendment S. 998, to facilitate the financing of defense contracts by banks and other financing institutions, and to amend the Assignment of Claims Act of 1940 (pp. 4733-4). This bill will now be sent to the President.
9. PERSONNEL. Passed without amendment H. R. 3401, to make certain increases in annuities of persons retired under the Foreign Service retirement and disability system (p. 4733).
10. FOREIGN AID. Majority Leader McCormack announced that H. R. 3791, to provide wheat for India, is to be considered after disposition of the Interior Department Appropriation bill (p. 4779).
11. AUDIT REPORT. Received from GAO the audit report on the Federal Deposit Insurance Corp. (H. Doc. 121) (p. 4782).
12. ST. LAWRENCE SEAWAY. The Public Works Committee voted to appoint a subcommittee

This obviously is one tremendous fountainhead of inflation which is now contributing to commodity shortages and rising prices. Under these conditions there should be no doubt that we can get along without the RFC pipeline to the Treasury of the United States.

SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO

The Senate resumed the consideration of the bill (S. 984) to amend the Agricultural Act of 1949.

Mr. MCFARLAND. Mr. President, I ask unanimous consent that at the hour of 12:30 o'clock today, namely, on the calendar day of May 1, debate upon any amendment to the pending bill or any motion, including appeals, which may be pending or which may thereafter be proposed to the said bill (S. 984) to amend the Agricultural Act of 1949 shall be limited to not exceeding 40 minutes, to be equally divided, and controlled, in the case of committee amendments, by the Senator from Louisiana [Mr. ELLENDER] and the Senator from Nebraska [Mr. WHERRY], respectively, and, in the case of individual amendments or motions, by the mover of any such amendment or motion and the Senator from Louisiana [Mr. ELLENDER], respectively; provided, first, that in the event the Senator from Louisiana [Mr. ELLENDER] is in favor of any such individual amendment or motion, the time in opposition thereto shall be controlled by the Senator from Nebraska [Mr. WHERRY] or some other Senator designated by him; and second, that after Monday, April 30, 1951, no amendment submitted by a Senator—that is, any amendment that may not already have been submitted—intended to be subsequently proposed by him and ordered to lie on the table which is not germane to the subject matter of the said bill shall be received.

Ordered further, That debate on the question of the final passage of the said bill shall be limited to not exceeding 2 hours, to be equally divided and controlled by the Senator from Louisiana [Mr. ELLENDER] and the Senator from Nebraska [Mr. WHERRY] or some other Senator designated by him, respectively; provided, however, that during the consideration of any individual amendment or motion either of said Senators may yield to the mover of any such amendment or motion, or to a Senator who is opposed thereto, any portion of such time of 1 hour allotted to him under this paragraph as he may desire.

The PRESIDENT pro tempore. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, may I inquire of the distinguished majority leader whether he has read the identical agreement heretofore presented?

Mr. MCFARLAND. It is the identical agreement.

Mr. WHERRY. It is the identical unanimous-consent agreement for a limitation of debate which was presented last Friday, is it?

Mr. MCFARLAND. That is correct.

Mr. WHERRY. The reason why I ask the question of the distinguished majority leader is that I must provide some

time for the distinguished senior Senator from Oregon [Mr. CORDON] which was requested by him.

Mr. MCFARLAND. That is all provided for in the proposed unanimous-consent agreement.

Mr. WHERRY. I also wish to be able to grant to the distinguished junior Senator from Oregon [Mr. MORSE] at least 20 or 30 minutes for an address on the bill.

Mr. MCFARLAND. Yes.

Mr. WHERRY. It is a long unanimous-consent agreement. However, if the majority leader assures me that such time is provided, I will have no objection.

Mr. MCFARLAND. The Parliamentarian drew up the unanimous-consent agreement.

Mr. WHERRY. I am not questioning in any way the distinguished majority leader's request for unanimous consent. We had agreed that the minority would have no objection to the unanimous-consent agreement which was proposed last Friday. What I wish to call to the attention of the distinguished majority leader is that if I am to control the opposition time of the debate on the bill, or the opposition time of the debate on any amendment, it was understood by the Senator from Minnesota [Mr. HUMPHREY] and also by the majority leader that I could allocate 1 hour, to the Senator from Oregon [Mr. CORDON] on the bill for the presentation of his amendment, and that he could have 20 minutes on his own amendment, and that the Senator from Minnesota [Mr. HUMPHREY] agreed that if I needed more time, he would yield time to the opposition on other amendments.

Mr. MCFARLAND. Yes.

The PRESIDENT pro tempore. Is there objection?

Mr. CHAVEZ. Mr. President, reserving the right to object, may I say that it was not more than 6 minutes ago that I talked to the majority leader with the idea of trying to get a unanimous-consent agreement for a limitation of debate. At that time the majority leader informed me that it was impossible to get such an agreement. I do not know whether he had at that time read the unanimous-consent agreement prepared by the Parliamentarian. I was of the opinion and in the mood of trying to get a unanimous-consent agreement. However, I for one, will not consent to the request until I at least have a chance to investigate how the proposed agreement would actually affect me, no matter how much I desire to agree with the majority leader. Hence, I object.

The PRESIDENT pro tempore. Objection is heard.

Mr. MCFARLAND. Mr. President, as I said before, I anticipated that some Senator would probably object, but I thought that inasmuch as the Senator from New Mexico wanted me to try to secure an agreement, it was my duty to make the attempt.

Mr. CHAVEZ. I believe that the Senator from Arizona should at least consult me about a unanimous-consent agreement for limitation of debate on the pending bill, and not expect the Senate

to accept anything he might consider fair.

The PRESIDENT pro tempore. Objection is heard.

LEASING OF CLEVELAND TANK PLANT, CLEVELAND, OHIO

Mr. WILLIAMS. Mr. President, today I call attention briefly to another instance of unnecessary waste of the taxpayers' money.

In 1950 the United States Air Force had under its jurisdiction the Schlegel Air Force Base located in Brook Park, Cuyahoga County, Ohio. This property was formerly known as the Cleveland Aircraft Assembly Plant and at the present time is the Cleveland Tank Plant. This property was being retained in stand-by status for possible future operation during a period of national emergency.

Mr. WHERRY. Mr. President, may we have order? Will the Senator from Delaware please speak a little louder so we can hear him?

The PRESIDENT pro tempore. The Senate will be in order.

Mr. McMAHON. Mr. President, will the Senator from Delaware yield for an observation?

Mr. WILLIAMS. I yield to the Senator from Connecticut.

Mr. McMAHON. I should like to say to the Senator from Nebraska that what he has just referred to goes to prove that the plugs we have in the floor for a loud-speaking system might well be implemented, and then Senators like the Senator from Delaware or perhaps the Senator from Connecticut, who are not equipped with the vocal amplitude of the Senator from Nebraska, could be heard.

Mr. WHERRY. I object to being called a plug.

Mr. WILEY. No; the plug is on the floor.

Mr. WILLIAMS. Mr. President, on April 25, 1950, the Secretary of the Air Force, on the assumption that this property would not be needed in the foreseeable future, negotiated a lease for this property with the National Terminals Corp., of Cleveland, Ohio, for an annual rental of \$25,000 per year, or \$2,083 a month. The officers signing the lease for the National Terminals Corp. were Mr. A. B. Efrogmson, president, and Mr. L. A. Kraus, secretary.

On May 16, 1950, 3 weeks later, National Terminals Corp. executed a standard storage contract with the Commodity Credit Corporation—another Government agency—for the use of this same property, upon which they collected an average of \$12,000 per month. As I said before, they leased it for \$2,083 a month just 3 weeks before.

In August 1950, following the outbreak of the war in Korea, the lease between the Air Force and National Terminals Corp. was canceled, and the property repossessed by the Army, and on October 27, 1950, the CCC shipments out of these facilities were completed.

The Commodity Credit Corporation, during the 5 months in which it rented the property, paid to the National Ter-

minals Corp. \$58,601.65, or an average of about \$12,000 per month. This represented a profit to National Terminals of nearly 600 percent, without any investment whatever.

This is not the first instance in which the CCC has resorted to this questionable practice, and there is no reason whatever why, if the Secretary of Agriculture had need of this property, he should not have negotiated direct with the Secretary of the Air Force for its utilization.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 300. An act for the relief of Lloyd F. Stewart;

S. 451. An act for the relief of James McGillic and Blossom McGillic;

S. 464. An act for the relief of Willard Cheek and Louise Cheek;

S. 568. An act for the relief of George W. Purdy;

S. 613. An act for the relief of Ernestine Bacon Jacobs;

S. 768. An act conferring jurisdiction on the Court of Claims of the United States to hear, determine, and render judgment on the claims of G. T. Elliott, Inc., and M. F. Quinn;

S. 803. An act to authorize the sale of post route and rural delivery maps, opinions of the Solicitor, and transcripts of hearings before trial examiners, at rates to be determined by the Postmaster General; and

S. 998. An act to facilitate the financing of the defense contracts by banks and other financing institutions, to amend the Assignment of Claims Act of 1940, and for other purposes.

THE TASK AHEAD FOR THE CRIME COMMITTEE—DISCUSSION ON THE AMERICAN FORUM OF THE AIR

Mr. FERGUSON. Mr. President, on Sunday, April 29, the American Forum of the Air observed its twenty-third anniversary. Mr. Theodore Granik is the moderator of that program. It is now being sponsored by a Michigan corporation, the Bohn Aluminum & Brass Corp., of Detroit, Mich., one of the Nation's leading industrial firms.

I believe that firm is to be commended in particular for the stand against communism it has expressed in a series of public-service advertisements. I read from one of its advertisements:

Think what you will lose if communism wins. You won't be able to insure your family's future. You won't be able to pray in your church. You won't be able to argue your brand of politics. You won't be able to work where and how you want to. You won't live as a free man.

Elsewhere it is stated:

Listen for the deceitful words that promise new freedoms but promote slavery.

Freedom is never lost by a single act. It is stolen by innocent-sounding words that breed doubt, suspicion, and dissatisfaction. Communism thrives on sugar-coated promises with pink centers.

Our country will remain free, only if we listen for the lies, the half truths, and expose them.

Mr. President, that indicates the high standard of public service we may expect from the televised American Forum of the Air and Mr. Granik, under his new

sponsor. Mr. Granik's program is well known to Members of the Senate from their participation on it. Last Sunday his program rendered a service which is worthy of recognition by Congress. I feel, therefore, that the Senate should order the printing in the RECORD of the proceedings of the American Forum of the Air for Sunday, April 29, 1951. The title of the discussion is "The Task Ahead for the Crime Committee." Four of the distinguished members of that committee were on the televised program at that time.

I ask unanimous consent to have printed in the RECORD at this point the proceedings of that program, because I think all Senators should know about it.

There being no objection, the proceedings were ordered to be printed in the RECORD, as follows:

THE AMERICAN FORUM OF THE AIR, SUNDAY, APRIL 29, 1951

THE TASK AHEAD FOR THE CRIME COMMITTEE

(Speakers: Senator ESTES KEFAUVER, Democrat, of Tennessee; Senator ALEXANDER WILEY, Republican, of Wisconsin; Senator LESTER C. HUNT, Democrat, of Wyoming; Senator CHARLES W. TOBEY, Republican, of New Hampshire. Moderator: Theodore Granik, founder and moderator of the American Forum of the Air.)

ANNOUNCER. Good afternoon. It's time again to join the American Forum of the Air and a discussion of the task ahead for the Crime Committee. The topic originally scheduled for today, entitled "What's Ahead—Peace or War?" will be heard at this time next Sunday.

Here today to discuss the task ahead for the Crime Committee is ESTES KEFAUVER, Democratic Senator from Tennessee; Senator ALEXANDER WILEY, Republican, of Wisconsin; Senator LESTER C. HUNT, Democrat, of Wyoming; and Senator CHARLES W. TOBEY, Republican, of New Hampshire.

This is the American Forum of the Air.

Now here is your moderator, who, 23 years ago today, founded the American Forum of the Air, Theodore Granik.

Moderator GRANIK. On Tuesday, the Senate Crime Investigating Committee will be filing with the United States Senate its third interim report. This historic document will be of tremendous interest to every law-enforcement official and every citizen of the United States. To give us the history of the committee's work and a look into its future, our distinguished guests, all of whom have performed such a magnificent public service, will discuss the task ahead for the Crime Committee.

Now, Senators, in our studio audience today are several hundred leaders of the Congress, of the Government, and the press. They, like many of our radio and television audience, would like to know what you have found to be the outstanding discoveries by the committee.

Senator KEFAUVER. Mr. Granik, first let me say how good it is to be with you on the twenty-third anniversary of the American Forum of the Air.

I think the outstanding thing our Crime Committee has found is that crime does operate on a syndicated basis in the United States; that it is much more powerful and sinister and has a more devastating and undesirable economic influence upon the people of our country than anyone had thought; also, that it has political and law-enforcement connections.

I think we have also been heartened by the fact that since the facts have become known, all levels of people and Government officials are going to go after the proper individuals.

Moderator GRANIK. Senator WILEY, do you care to comment on the crime syndicates, to which your earlier report referred?

Senator WILEY. No. But I would just like to give an idea in relation to what is up ahead.

It should be noted that the public should not expect a series of intensive hearings, such as was held in the New York investigation, in the 4 months that are up ahead. The workload of the Congress is so heavy today as to make it practically impossible for us to schedule hearings more than once or twice a month. It is important, of course, that we concentrate the most critical issues of our times on the sound basis of first things first.

I sincerely feel that one of the things that has come out of this investigation so far has been an alerting of the public, a re-awakening of the public awareness to the need that they, the public, have a job to do.

Moderator GRANIK. How do you feel about that, Senator HUNT?

Senator HUNT. I think, Mr. Granik, that perhaps the most noteworthy effect has been the unprecedented public interest that has been aroused in the work that we have been doing. I do not believe that ever in the history of Congress has there been a committee that has received the wholehearted support of the people of the Nation as we have. I think that proves conclusively, Mr. Granik, that the great majority of our people throughout the country want good, clean law enforcement on all levels.

Moderator GRANIK. Senator TOBEY, Senator WILEY referred to future hearings. What cities do you expect to visit?

Senator TOBEY. I cannot say. The committee has not considered that. But we are going to places before we get through.

I would like to make this observation as to the committee: There are three Democrats and two Republicans. That is entirely appropriate because it takes three Democrats to hold down two Republicans any time.

I want to go a little further and say that there are two outstanding results of this investigation. The first is the marvelous invention of television, the miracle invention, which has brought the results of this committee's hearings into millions of homes throughout the country and has given the plain people for the first time the privilege of seeing their Government at work.

Moderator GRANIK. Do you plan to use television in the future?

Senator TOBEY. Yes, and we mean to do that every time.

Let me say that the fellow to my right, the chairman of the committee, is being succeeded by Senator O'CONNOR, of Maryland. That is all right by me. But I want to say that I would be guilty of negligence if I did not say to the people of the Nation, that this man, ESTES KEFAUVER, on my right, is a noble Christian gentleman, who deserves the highest praise from his country. And I pay him that tribute sincerely.

We are going on, and the greatest thing we can do is to uncover in this country the collusion between the crooked elements of this country and the public officials of the Government—State, city, and national. And we are going to do that, God helping us.

Moderator GRANIK. Do you want to discuss that collusion, Senator KEFAUVER?

Senator KEFAUVER. Before I do discuss it, I want to say that our committee, I think, has been very fortunate in that we have had no politics and no partisanship whatsoever in our work. I think we all agree that we have gone straight down the middle of the road and have tried to find the facts and to expose them. In that way, we have sought to bring public attention to them so as to provide a basis for legislation.

I think I should mention also that in Rudolph Halley and his associates we have had very excellent teamwork on our staff.

criminals were using interstate commerce in violation of the laws of the Federal Government or of the several States.

Mr. KEM. The Senator spoke of putting first things first. Does not the Senator agree that it is a good deal more important to find out whether integrity of the ballot is being threatened than it is to find out whether bets are being placed on a horse race?

Mr. KEFAUVER. Yes, but of course we must act on and make recommendations concerning the things the committee is charged with doing. After all, the Committee on Privileges and Elections investigates frauds in elections and thefts in that connection. That matter was not in our jurisdiction, because, as the Senator from Missouri has said, it has no interstate feature. We did go into it to a limited extent, in asking the sheriffs and others to do all that they could; but I am sure the Senator from Missouri does not expect our committee to solve the crime when the Federal grand jury and the State grand jury and the FBI could not do so, and particularly when we went there 3½ years after the offense occurred.

Mr. KEM. I fully agree that the committee could not be expected to solve the crime; but I did indulge in the hope that the committee would make some constructive suggestions leading to the avoidance of similar incidents in the future.

Mr. KEFAUVER. Mr. President, it was not our duty to make investigations in reference to the election laws of the Federal Government. I do not think one can read the resolution establishing the special committee and find that we were charged with any responsibility in reference to elections.

Mr. KEM. This matter involved more than that; it was a case of conspiracy and of larceny and of breaking into a public office in the night time. Other crimes were committed independently of the election laws, on May 27, 1947.

Mr. KEFAUVER. We have recommended that certain investigative officers be given additional staffs, and that once a year the Attorney General convene a special grand jury for the investigation of big-time interstate crimes and big-time racketeering once a year in the various districts of the United States. We have recommended the enlargement of a special fraud squad that would investigate the type of crime the Senator from Missouri is discussing and would have special jurisdiction of it and would see that the cases are immediately brought before the grand jury.

So I think many of the recommendations which the Senator will find in the report will give him much aid and comfort in connection with the theft of the ballots at Kansas City, which all of us felt to be very heinous and sinister.

Mr. President, I now yield the floor.

Mr. WILLIAMS. Mr. President, will the Senator yield for a question before he yields the floor?

Mr. KEFAUVER. I yield to the Senator from Delaware.

Mr. WILLIAMS. Mr. President, I think the committee has done a wonderful job in documenting crime in inter-

state commerce. Perhaps the question I have in mind is answered in the report, but I have not had time to read it as yet.

A few minutes ago the Senator from Tennessee referred to laxity in the Bureau of Internal Revenue in regard to collecting income taxes from gangsters. I am wondering whether in the opinion of the committee the Treasury Department or the Department of Justice was more or less aggressive in collecting income taxes from gamblers and racketeers than it was in the case of collecting such taxes from the average citizen.

Mr. KEFAUVER. Of course, that is largely the job of the Bureau of Internal Revenue. We found the chief difficulty to be that racketeers and gangsters for the most part simply put on their income-tax return "commissions, \$50,000," or "winnings, \$75,000," or some such notation, and that they keep no books or records. So it is very difficult to prove just how much money they do make. We found that the misdemeanor law requiring the keeping of books and records for income-tax purposes is not being adequately enforced.

We also believe that in the case of all these tax-law violations, too much time elapses between the commission of the offense and the final prosecution, because such matters must go through approximately 14 steps before they finally reach the trial jury.

We found that an insufficient amount of attention was being given to the collection of income taxes from the big-time racketeers and gangsters, in our opinion. Of course, we felt that the determination of what was being done as to them came within our field of activity, but that the determination of what was being done in the case of other taxpayers did not come within the field of our activity. However, I think it is fair to say that the racketeers and gangsters do not usually file complete books or keep records to an extent at all comparable with those kept by the average businessman.

Mr. WILLIAMS. Mr. President, will the Senator yield further?

Mr. KEFAUVER. I yield.

Mr. WILLIAMS. Of course, the Senator from Tennessee knows, and already has stated, that it is now the law that every taxpayer must keep records available for the Bureau of Internal Revenue, in the case of his income and his business expenses. I wonder whether the committee found that the Treasury Department is enforcing that law or is calling upon racketeers to keep books to the same extent that books are kept by the average American citizen. Certainly under existing laws the average citizen is called upon to keep such records. I wonder whether the Treasury Department or the Bureau of Internal Revenue have been lax in the case of the failure of such persons to keep books or records.

Mr. KEFAUVER. Frankly, I think the Treasury Department has been lax in bringing prosecutions for violations of the law in regard to the keeping of books. Several cases of that kind were brought; but I think one of them was thrown out of court, so the Bureau or the Department says it got discouraged. Those in charge of such matters say they wish to be able to prosecute such per-

sons for the commission of a felony, rather than a misdemeanor—of course, a violation of the statute regarding the keeping of books and records for income-tax purposes is now a misdemeanor—and also that the language of the statute is not entirely satisfactory. However, I think those prosecutions could have been carried forward to a much greater extent than they have been. The committee was not at all satisfied in this respect.

We wish to recommend to the Finance Committee of the Senate and the Ways and Means Committee of the House of Representatives that the statute be tightened and that the violation of the statute be made a felony.

Some representatives of the Bureau of Internal Revenue take the position that books and records filed by racketeers would not be valid anyway, and would not be believed, so there is not much use in insisting that they keep better ones. I do not accept that statement. I think they ought to be required to file them, and that, if they do not file them properly, they should be taken to task for it. I believe it fair to say that in the past sufficient enough attention has not been paid to requiring adequate books, or to the prosecution of gamblers and racketeers. But, in all fairness, I think it also should be said that substantial and very wholesome steps have been taken by the Internal Revenue Department, which I hope will continue. In any event we all now agree, and this includes the Bureau of Internal Revenue, that the law ought to be more vigorously enforced and that it ought to be strengthened.

I yield the floor.

SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO

The Senate resumed the consideration of the bill (S. 984) to amend the Agricultural Act of 1949.

Mr. McMAHON. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD an editorial entitled "Report on Migrant Labor," which appeared in the April 21, 1951, issue of America.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

REPORT ON MIGRANT LABOR

"This report," said President Truman on April 7, "makes an impressive contribution to a subject which should be of serious concern to all of us. It will be useful to Government officials and the general public alike."

The President was referring to the 80,000-word study that his five-man Commission on Migratory Labor (of which Archbishop Robert E. Lucey, of San Antonio, was a member) had just concluded. It is easy to agree with him that the report is impressive and that it can be very useful to all concerned with the difficult and complex problems of migrant workers. We can, unfortunately, do little more here than touch on some of the high spots.

The Commission's findings corroborate charges that migrant workers, especially in the Southwest, have been scandalously exploited. It noted, however, that the responsibility rested with a small minority of farms—the 125 thousand farms which amount to 2 percent of the farms of the Nation and produce crops equal to approxi-

mately 7 percent of the value of all farm products. Nor are these large-scale, highly mechanized agricultural units—factories on the land—solely responsible for the deplorable condition of migrant labor. Federal and State agencies, including the Farm Placement Division of the United States Employment Service, must share some of the blame.

The Commission insists that farm-labor needs can and ought to be supplied largely by domestic workers. The shortage which is said to exist, and which is used as justification to import foreign farm hands, is to a considerable extent relative. It is a shortage of Americans who are willing to work at the inadequate wage rates and under the substandard conditions which the farm owners offer. The report notes a growing inequity between agricultural and industrial wages. In the 1910-14 period hourly farm-wage rates amounted to two-thirds of factory wages. Today they are little more than a third. If annual earnings are used as a basis of comparison, the inequity is still more pronounced. In 1949, factory workers had annual earnings of \$2,600. The figure for farm workers was \$500. In addition, the farm worker is often obliged to put up with unsanitary housing, inadequate medical services, and inferior educational opportunities for his children. He is also deprived of most of the special benefits accorded city workers. He has no workmen's compensation, no unemployment insurance, no protection from the Taft-Hartley and Wages and Hours Acts. It is an astonishing fact that foreigners brought to this country by agreement with neighboring governments are better off than many American farm workers.

Among the Commission's recommendations, these are especially noteworthy:

1. Creation of a Federal Committee on Migratory Farm Labor to coordinate the activities of all groups, public and private, working in the farm-migrant field.

2. Guaranty of the right of farm workers to organize for the purpose of collective bargaining.

3. Extension of minimum-wage laws and unemployment compensation to farm laborers.

4. Insistence on minimum housing standards for all workers hired through the Federal Employment Service.

If past experience can be trusted, the members of the farm bloc in Congress will fight to the bitter end against these and all the other reforms proposed by the Commission. Only the constant pressure of an informed public opinion can force them to subordinate the greed of their powerful constituents to justice and human decency.

The PRESIDENT pro tempore. The question is on agreeing to the first committee amendment, on page 1, line 9.

Mr. ELLENDER. Mr. President, I hope we can proceed now with the consideration of the pending measure.

Mr. MORSE. Mr. President, I shall take a few moments on the pending bill. The chairman of the Committee on Agriculture and Forestry has stated, as the overriding reason for speedy enactment of Senate bill 984, a need for legislation to validate and implement an agreement made between the Government of the United States and the Republic of Mexico in Mexico City last January.

It is stated that, unless this bill is passed, the Republic of Mexico will not allow the migration of Mexican nationals into the United States for farm work after July 1.

It is stated that the bill must be limited to Mexican farm labor in order to get it enacted into law before July 1.

It is suggested that the recruiting, transportation, housing, and employment of other farm labor, including United States citizens in the continental United States, Puerto Rico, and Hawaii, and including also British subjects from the British West Indies, be postponed and dealt with in other bills, to be considered later by the Labor Committees of each House at some later unspecified dates.

It is stated that American agriculture must have continued importation of Mexican farm workers.

The senior Senator from New Mexico [Mr. CHAVEZ] has cited the finding of the President's Commission on Migratory Labor that, with full and proper utilization of United States citizens, further such importation is unnecessary.

In fact, Mr. President, I wish that all persons who are interested in the problem of agricultural labor, including a great many of the farmers themselves, could read the report of the President's Commission on Migratory Labor, because I consider it to be one of the most important and finest jobs of fact-finding which has been done by a presidential commission in a long time. A summary of the report made to the President by his Commission on Migratory Labor was set forth in a release issued by the White House on April 7, 1951, from which I should like to quote one paragraph:

We have long wavered and compromised on the issue of migratory labor in agriculture. We have failed to adopt policies designed to assure an adequate supply of such labor at decent standards of employment. Actually, we have done worse than that. We have used the institutions of government to procure alien labor willing to work under obsolete and backward conditions, and thus perpetuate those very conditions. Although our Government is importing large numbers of foreign workers for employment on farms, we are convinced that they are not needed to meet the food requirements of the defense emergency period.

That is a very significant statement, Mr. President. As I read the report of the Commission, it makes a very strong case for the premises which it seeks to support, and the entire bill ought to be considered and weighed in the light of the Commission's findings.

I have pointed out that the Senator from New Mexico has cited the findings of this Commission, and I have a number of observations to make about the findings. First, it seems to me that neither the Senate nor the Committee on Labor and Public Welfare, of which I am a member, and which, under the La Follette-Monroney Reorganization Act, I believe has complete and exclusive jurisdiction over all labor and related immigration matters, was consulted in any way at any time regarding the making of the agreement with Mexico. Therefore it seems to me that we have no responsibility for validating or implementing whatever agreement was made.

By the way, I am not sure that the agreement has actually become a part of the record of this debate as yet. I doubt whether it has been published as a part of this debate. If so, it was inserted in the RECORD at some time when I was not on the floor, and in my re-

search, I have missed finding the actual wording of the agreement.

Second, in my opinion, the necessity for such an agreement and for the continuance of the importation of Mexican labor has not been established in this debate as yet. We have the statement of the President's Commission that there is an adequate supply of United States citizens for farm work, if an effort is made to recruit them. Probably the situation is that in certain areas of the country there is a shortage of farm labor. I am not prepared to say whether in other sections of the United States there is American labor which could be moved into the areas of short-labor supply, but I am impressed by the fact that the President's Commission seems to be of opinion that if we made an efficient use of the labor which we have the supply would be adequate.

On the other hand, I cannot escape the conclusion that in the great Pacific Northwest, in my section of the country, strong representations are made by food processors, such as pea packers and bean packers, and by the fruit raisers, that they are looking askance at the harvest season, because they do not see where they can get the farm labor which they need in order to harvest their crops. Many of them seem to think that this bill is the answer. But I do not think its enactment would result in the Pacific Northwest being supplied with the farm labor it needs, unless there can be adopted some such amendment as that proposed by my colleague, the senior Senator from Oregon [Mr. CORDON]. That amendment, of which I am pleased to be one of the sponsors, will provide us with a port of entry near the shortage of labor supply, such as the port of Portland, Oreg., with the understanding that the Government will transport the workers from whatever foreign country they are being taken, as, for example, in this instance, Mexico, to the port of entry, and that our farmers then will be able to work out with the Government at the point of entry a contract for the use of such workers, under acceptable terms and conditions, in the food-processing plants or in the orchards during the harvest season.

The information which I receive in my office from the growers and processors of my State is to the effect that, unless such a port of entry is provided, and unless the Government makes it possible to get the workers to the port of entry, at Government expense, it will then be a financial impossibility for them to hire the workers and pay the transportation costs from Mexico, for example, which, as is suggested in certain quarters, they would have to pay in order to obtain the foreign labor for a few short weeks in the orchards and in the processing plants of the Pacific Northwest.

That may suggest another subsidy, Mr. President, and I am perfectly willing to place it on that basis. If the imported workers are needed in the Pacific Northwest it is because the domestic labor supply in that section has been interrupted by the defense effort, either by taking workers into the armed services or by taking them at much higher wages into

defense plants, with the result that the production of a very much needed food supply is being interfered with by the Government program itself.

Therefore, in the judgment of the junior Senator from Oregon, we may as well face the fact that it is one of the defense costs which must be added up in the ledger. It is not fair or right to require processors or small fruit ranchers to pay transportation costs from Mexico City to Portland, Oreg., in order to hire foreign labor for a few weeks in processing plants, in orchards, or on our farms. That should be taken into account, Mr. President, before we come to a final conclusion on this bill.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CARLSON. The distinguished Senator from Oregon is making a very fine speech on migratory labor, and I am wondering if he will permit me to make a short statement on another phase of the farm problem.

Mr. MORSE. I shall be delighted to yield the time.

Mr. CARLSON. In my State, Mr. President, we have difficulty in regard to the deferment of farm boys who are needed for the operation of farm units. My office has received a large number of letters from farm leaders, from farm owners, and from farm operators whose sons are being called into military service. These operations are large. The farms are merchandically operated. Labor of the migratory type cannot be used on such farms.

Last week I received a letter from Ben Ludy, general manager of Radio Station WIBW at Topeka, Kans., the station which was owned by former Senator Capper. In one of the station's broadcasts some comment was made regarding the deferment of farm labor. The broadcaster wondered if the farmers themselves had any idea on the subject. The response in mail has been terrific, to say the least.

I have with me a number of letters and extracts from letters from farmers showing the need for deferment if farmers are to be successful in meeting the food requirements established by the Department of Agriculture.

Mr. President, I ask unanimous consent to include extracts from these letters in the RECORD.

There being no objection, the extracts from letters were ordered to be printed in the RECORD, as follows:

MANHATTAN, KANS., April 21, 1951.

DEAR ELMER: We have listened to your 7 o'clock news broadcast. We are writing concerning the draft of my boy. I am about 60 years old and have one boy here with me. We are taking care of 437 acres of ground. We have 150 acres of wheat, 125 acres to go to corn, 20 acres of alfalfa, 25 acres of oats, and 30 acres of clover; the rest is pasture. It is impossible for me to handle all of this land if they draft my boy. I have rheumatism in my shoulders and can hardly raise my arms. We have farmed in partnership for 3 or 4 years now. My boy has some machinery. We also have 40 head of cattle and about 20 brood sows. It is impossible to hire help, so this work will just not be done if my boy is drafted. I think farming and

raising food is as important as any occupation and should receive a little more consideration.

Sincerely yours.

NORBORNE, MO., April 20, 1951.

DEAR SIR: You have just finished your 7 o'clock broadcast in which you said to write you about things on the farm. I will try and tell you what it would mean to us to have all the help taken away from the farm. Now our son had not intended to go to college. He wanted to be a farmer. So as his father is 60 years old, they intended to work a plan whereby in a few years the son by a sort of partnership deal, where the father furnishes the equipment and the son the labor, that the son could earn equipment to farm this place and the father would retire. And the son would be established for the future. Now I ask you isn't that just as important to that boy as a college education is to some other boys, and would it be fair to take him away from this and let some boy go to college that would only be going as a way out. That is not a fair order. We farm 364 acres of good Missouri river-bottom land. We plant some Pioneer corn too. It is a good corn. Last year we raised 14,900 bushels of corn and that's by weight, not guess. Also wheat, oats, and soybeans. Of course last year was a perfect season, but with average season we produce a lot of grain; besides we market over 100 head of fat hogs each year, as well as a few calves. But if they take all the help I will have to quit. I guess everyone will have to put our boys in college and let the food raising go. We will have to hope and pray for peace. Good luck to you.

COURTLAND, KANS., April 20, 1951.

Mr. ELMER CURTIS,
WIBW, Topeka, Kans.

DEAR MR. CURTIS: You said to write your problems about the draft and labor shortage to you, so that is what I am doing.

The following is a summary of what we have:

Wheat, 340 acres; corn, 148; alfalfa, 35; grain sorghum, 12; brood sows, 20; dairy cows, 8-10; feeder pigs, 100 or more; chickens, 500.

It will be necessary to sell the stock and quit most of the land if I'm taken. There is not such a thing as skilled labor that you can hire up here.

Yours truly.

MOLINE, KANS., April 1951.

DEAR SIR: In regard to your broadcast on farm deferments, I am writing as to our situation.

We have one boy who is 22 years old who will be inducted in the near future.

We farm 750 acres, 120 acres of wheat, 50 acres of oats, and about 30 acres of barley; 35 acres of row crop. Put up 60 acres of mowland. We run about 100 head of cattle a year and some steers. We have all kinds of machinery, including a combine. We do trade work with the neighbors so that all may get along. The father is not able to do much work due to a rupture.

I do not understand how a boy would be more useful in an army suit than at home with this set-up. Especially with no war being fought.

Yours truly.

SALINA, KANS.

DEAR SIR: I thought I would write you a few lines in regard to my boy that is supposed to go to the Army soon.

I had three boys in World War II. There is going to be a big demand for men's help as there was so much wheat died out and so much spring crop could be put out, but

without help they will have to leave the ground lay idle.

Thanking you in advance.

Yours truly.

CHANUTE, KANS., April 20, 1951.

DEAR SIR: Elmer Curtis has been our 7 o'clock newscaster for years and years. As for our help on the farm, it is gradually vanishing.

The 24-year-old boy at home was classified I-A the first of the year, so he had no choice. He enlisted. The other younger married boy is also in the Reserves. No other choice when the draft board classifies them I-A. What I'd like to know is how do they expect us farmers to increase our crops with less help. And I'm sure not going to hire foreign labor, because Dad and my youngest boy cannot raise, harvest, and care for the crops that these two older boys have been doing.

My older boy at present has over 500 acres rented, over 600 hens producing six cases of eggs a week, 50 head of registered white faces, and 10 sows that will farrow this spring, and yet he's only waiting for the word, and will have to have a sale and go do as they tell him.

Yours respectfully.

RILEY, KANS., April 21, 1951.

Mr. ELMER CURTIS.

DEAR SIR: We are farming 346 acres of land and 200 under cultivation and milking 13 cows, forty-some head or other cattle. Only my son, his mother, and myself on the farm, and he is up for induction in the Army in May. I will have to sell my milk cows and some other stock, and cannot farm all of the land. It will have to lay idle if he is taken.

He is serving his country much better on the farm than in the Army. He is at home working all of the time.

Yours truly.

BELOIT, KANS., April 20, 1951.

DEAR ELMER: On the 7 a. m. news today you asked for letters about drafting the farm boys. I have been looking for an excuse to blow my top.

We farm 640 acres and have one child—a 20-year-old son. We couldn't get as much work from any two men we could hire—if we could hire any men.

We have 200 acres of wheat, 80 acres of alfalfa and could put out 300 acres of corn, but he is to be inducted into the Army June 1. A plea for deferment for farm work was ignored. My husband, in his fifties, will do well enough to harvest the wheat and put up the hay, etc., so we have no choice but to sprinkle some clover seed on the 300 acres and let it stand.

Sincerely yours.

Mr. CARLSON. Mr. President, I appreciate very much the courtesy of the Senator from Oregon in yielding. The problem is a very serious one in my section of the country. The boys are not asking for deferment in order to avoid military service. The serious question is, Can we afford to take these skilled farm boys off the farms at a time when increased farm production is needed? We defer some persons in industry because they are in critical positions; and we must give some consideration to the deferment of farm boys who are needed in farm work.

Mr. CHAVEZ. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. CHAVEZ. Mr. President, I know the type of farm work in Kansas and the need for labor in order to enable

that great breadbasket to operate in the interests of the American people and of the world. So far as help from the proposed legislation is concerned, neither the Senator from Kansas nor any other Senator, nor any section of the country, will get one bit of benefit, because the labor needed is the cheapest of labor. Hence, the bill, if enacted, would not help to remove the conditions which the Senator from Kansas has in mind.

Mr. MORSE. Mr. President, I thank the Senator from Kansas and the Senator from New Mexico for their comments in connection with this subject. I should like to say to the Senator from Kansas that I believe there is great need for a reexamination of the entire exemption program in respect to service in the Armed Forces. I say that as a member of the Armed Services Committee, and as one who took a very active part in the debate and discussion of the manpower question, as the Senator knows, I agree with the Senator from Kansas that none of us wants to see any blanket deferment granted to any economic group. That is why I have taken a position against a blanket deferment for college students. I consider it to be a great mistake, and to be very undemocratic, and I know the Senator from Kansas will agree with me that it would be equally undemocratic if there were a blanket deferment for agricultural workers. But, as the Senator has pointed out, the Selective Service Act contemplates, in spirit and intent, provision for deferment in the case of men who, it is found, can render greater service to the defense effort by working in industry, or on the farm, or as students in laboratories, or in some other capacity where their skills and abilities are needed.

I have received a great many inquiries similar to those received by the Senator from Kansas. I say on the floor of the Senate this afternoon that I think the Selective Service should give very careful attention to the representations which are being made that not sufficient attention is being given to men in critical agricultural jobs.

Mr. CARLSON. Mr. President, will the Senator yield further?

Mr. MORSE. I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I know of no one who has followed this point more closely than has the Senator from Oregon, and I appreciate his remarks on the manpower problem. It is a question of using our men to the best advantage. I am entirely in accord with the Senator's views on the deferment of college students, and I have expressed myself on that subject. I am opposed to any blanket deferment of any group.

Mr. MORSE. I thank the Senator very much.

Mr. President, returning to my manuscript, I was making an observation to the effect that the necessity for an agreement with Mexico and for the continuance of the importation of Mexican labor had not as yet, in my opinion, been clearly established in the record of the debate.

We have the statement of the President's Commission that there is an ade-

quate supply of United States citizens for farm work, if an effort is made to recruit them.

We have the statement of the senior Senator from New Mexico that, as chairman of the Appropriations Subcommittee considering Labor Department requests, he has found that the United States Employment Service has not even assembled the facts about the numbers and locations of workers in the United States available for farm labor, much less conducted an all-out recruiting and placement campaign.

Mr. CHAVEZ. Mr. President, will the Senator yield in order that I may call his attention to a statement from the area wherein this type of labor is supposed to be sought?

Mr. MORSE. I yield.

Mr. CHAVEZ. I received yesterday and inserted in the Record a telegram from the American GI Forum of Texas Independent Veterans' Organization, representing 50,000 American veterans of Mexican origin, reading as follows:

Wish to ask you to continue to fight to exclude foreign workers especially in Texas. Thousands of veterans—

The ones who faced the music, the ones who would have made the supreme sacrifice, if need be, and the relatives of American boys who were buried, not in Texas, but abroad—

Thousands of veterans not able to make a decent living because of low-wage competition by wetbacks and imported labor. Thousands of children of veterans are not able to enjoy good health because veterans and their families are forced to work for starvation wages because of imported labor. Americans of Mexican origin in Texas must have opportunity to live like human beings and first-class citizens. Best way to do it is to stop all imported labor.

That telegram came from the midst of the area where so-called problem of the wetbacks exists.

Mr. MORSE. I thank the Senator for reinforcing the argument I had just completed, namely, that, as contended by the President's Commission, under a proper program of recruitment we would have an adequate labor supply to meet our domestic needs.

Third, let us examine the suggestion that we pass this bill forthwith, without amendment, limited to Mexican labor alone and for the convenience of some large commercial farms along the Mexican border, and that we postpone until some later date action on the vastly greater and more important problem of an over-all defense emergency farm-labor program for United States citizens, including residents of Puerto Rico and Hawaii and British nationals from the British West Indies.

The chairman of the Agriculture Committee has suggested that, because this larger problem is related to industrial employment, it should be handled by the Senate Committee on Labor and Public Welfare. I am somewhat gratified to have this generous and gracious concession on the record as to the jurisdiction of the Committee on Labor and Public Welfare. It does amount to recognition of the existence and the role of the Labor and Public Welfare Com-

mittee. I will have more to say about this matter before I close.

As a matter of practical reality, the suggestion that the major problem be handled later by the Senate Labor and Public Welfare Committee comes too late in this session.

That suggestion should have been made last January, before the United States-Mexican conference in Mexico City at which the agreement was worked out. It should have been made when this bill was introduced. The bill should have dealt with the whole problem. And the bill should have been referred, not to the Agriculture Committee, which under the La Follette-Monroney Reorganization Act has no conceivable claim to jurisdiction, but to the Labor and Public Welfare Committee which, under that act, has complete, sole and exclusive jurisdiction in the fields of labor and related immigration.

Mr. President, I ask unanimous consent to have printed in the Record at this point, as a part of my remarks, the provisions of the Reorganization Act, Public Law 601, Seventy-ninth Congress, which deal with the standing committees of the Senate, in respect to the Committee on Agriculture and Forestry, as contained on page 4 of the reprint of the act, and the Committee on Labor and Public Welfare, as contained on page 8 of the reprint of the act.

There being no objection, the provisions were ordered to be printed in the Record, as follows:

(a) Committee on Agriculture and Forestry, to consist of thirteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Agriculture generally.
2. Inspection of livestock and meat products.
3. Animal industry and diseases of animals.
4. Adulteration of seeds, insect pests, and protection of birds and animals in forest reserves.
5. Agricultural colleges and experiment stations.
6. Forestry in general, and forest reserves other than those created from the public domain.
7. Agricultural economics and research.
8. Agricultural and industrial chemistry.
9. Dairy industry.
10. Entomology and plant quarantine.
11. Human nutrition and home economics.
12. Plant industry, soils, and agricultural engineering.
13. Agricultural educational extension services.
14. Extension of farm credit and farm security.
15. Rural electrification.
16. Agricultural production and marketing and stabilization of prices of agricultural products.
17. Crop insurance and soil conservation.

(1) Committee on Labor and Public Welfare, to consist of thirteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Measures relating to education, labor, or public welfare generally.
2. Mediation and arbitration of labor disputes.
3. Wages and hours of labor.

4. Convict labor and the entry of goods made by convicts into interstate commerce.
5. Regulation or prevention of importation of foreign laborers under contract.
6. Child labor.
7. Labor statistics.
8. Labor standards.
9. School-lunch program.
10. Vocational rehabilitation.
11. Railroad labor and railroad retirement and unemployment, except revenue measures relating thereto.
12. United States Employees' Compensation Commission.
13. Columbia Institution for the Deaf, Dumb, and Blind; Howard University; Freedmen's Hospital; and St. Elizabeths Hospital.
14. Public health and quarantine.
15. Welfare of miners.
16. Vocational rehabilitation and education of veterans.
17. Veterans' hospitals, medical care and treatment of veterans.
18. Soldiers' and sailors' civil relief.
19. Readjustment of servicemen to civil life.

Mr. MORSE. Mr. President, if the Committee on Labor and Public Welfare were to have jurisdiction over the matter, a representative of the committee should have been sitting in Mexico City at the time the agreement was drawn. We are faced, as is so frequently the case in the Congress, with an accomplished fact. We are being asked to put our stamp of approval on what has already been prepared. If the agreement contains some of the things which I believe it contains, although I have not been privileged to read it, I am sure that a consideration of the proposed provisions of the agreement by someone representing the Committee on Labor and Public Welfare at the time the Mexico City conference was held might well have brought about some changes in its language.

Now, seriously to propose that the major problem of farm labor during the defense emergency be postponed and handled in a separate bill to be referred to the Labor and Public Welfare Committee in the Senate and by the Labor and Education Committee in the other body would be a great mistake at this late date.

The majority leader was recently quoted in the press as announcing that he planned to do everything he could to bring about an adjournment by August 1. I am willing to take judicial notice of the fact that if now we should put aside consideration of the problem and should hold new hearings and have further discussion before the Committee on Labor and Public Welfare of the Senate and the Committee on Labor and Education of the House, we would be doing well to get through with the hearings by August 1.

We are faced with a bill which we must do the best we can to amend on the floor of the Senate, so that it may meet some of the major objections, and then start planning for a long-term legislative program in connection with the whole problem of migratory labor, to be taken up in the next session of Congress. Because the farm-labor market of the country is disjointed I am willing to admit that there is need now for some legislation

on the subject. I hope we can get the bill patched up on the floor of the Senate with appropriate amendments, so that it will at least be serviceable for the present harvest season.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. MORSE. Yes.

Mr. CHAVEZ. Everyone, I believe, is willing to admit that there is necessity for legislation of this type. Those of us who are opposed to the bill as reported to the Senate object only because we feel that, inasmuch as labor is needed we should provide in the bill for the importation of labor, be it from Mexico or elsewhere, only after an adequate investigation has been made as to whether American labor is available. I do not think it is asking too much of the Senate to consider an amendment which would provide for the protection of the American laborer, who is willing to suffer the fatigue of stoop work, to the same extent that protection would be given to a laborer who came from a foreign country. I do not think it is too much to ask of the Senate.

Mr. MORSE. I wish to be recorded at this point as being in agreement with the Senator from New Mexico in the comments he has made.

Mr. President, the plain legislative and political fact is that this bill is the only bill regarding farm labor that is likely to get to the floors of both Houses in this Congress. Unless it can be broadened to deal with the whole problem, to provide for the recruitment, transportation, housing, placement, and employment of United States citizens, including Puerto Ricans and Hawaiians and British nationals as well as Mexican nationals, the whole farm labor problem is going to be left untouched, except for the Mexican segment thereof. This is the only train that is going through. Unless it is stopped long enough to couple in cars for United States citizens and other nationals they are not going to be treated with the same consideration given Mexican nationals under the bill as it was reported to the Senate. The Republic of Mexico is going to provide more protection for its citizens than the Republic of the United States of America provides for its citizens, and such protection as we do provide will be given, because, in complying with the United States-Mexican agreement, we will have to pay some attention to the wages and conditions offered our own citizens.

Fourth, I want to raise a basic and fundamental issue that affects the rights, powers, and responsibilities of every standing committee of the Senate. To my mind, it is a legislative scandal that, in the first place, the State Department and the Labor Department passed over the Labor Committees of both Houses and chose instead to invite and include in the United States delegation to the Mexico City conference at which the agreement was agreed upon last January only representatives of the Agriculture Committees of both Houses. Second, in my opinion it is a mistake and an outright violation of the words and intent of the LaFollette-Monroney Act to have

referred the bill to the Agriculture Committees of both Houses.

With what were the conference and the bill primarily concerned?

With farm labor, of course.

But with farm labor considered as human beings or as an article or commodity of commerce?

That, Mr. President, is the test.

Only if more than 1,500,000 farm workers are considered as a commodity, as human livestock, as work animals, to be imported, deported, housed and treated as animals, can the assignment of such a bill to an Agriculture committee be explained or defended.

Mr. President, were I to follow my inclination as a lawyer, as a Member of the Senate and as a member of the Labor and Public Welfare Committee, I would call for the defeat of this bill or its referral to the Labor and Public Welfare Committee on this ground alone. But in this case, and all other cases, I try to be practical. We are faced with somewhat of an emergency. We certainly are faced with a time emergency, as I have heretofore stated in these remarks. I do not believe that the time available in this session of the Congress will permit us, if we want to get the crops harvested, to follow the course of action of referring this bill to the Committee on Labor and Public Welfare for its consideration. Harvesting the crops is a matter of first importance.

As I have stated, I think there are areas where there is need for some labor from the outside to meet the shortage of domestic labor in order to do the crop processing, the fruit picking, and the harvesting. Therefore, even though I think it means condoning this breach of the LaFollette-Monroney Act, I propose that we work this bill into proper shape by adoption of the amendment proposed by the senior Senator from Oregon [Mr. CORDON] and amendments proposed by the senior Senator from New Mexico [Mr. CHAVEZ], and the junior Senator from Minnesota [Mr. HUMPHREY], so that the bill as passed will deal with the entire problem of farm labor with fairness to workers and employers.

Mr. President, this morning my attention was called to a series of telegrams which were sent to the majority leader [Mr. McFARLAND] by the leaders of organized labor and by the leader of the Farmers Union, concerning the farm labor bill now under consideration. I have been advised that these telegrams have already been considered to a certain extent in this debate. Nevertheless, I should like to have them incorporated in the RECORD, as part of my remarks, because I wish to make a few very brief comments on them. I ask unanimous consent to have them printed in the RECORD, at this point, as a part of my remarks.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., April 24, 1951.—The Railway Labor Executives' Association today appealed to the majority leader of the Sen-

ate, Senator ERNEST MACFARLAND, for assistance in opposition to the Ellender bill, S. 984, providing for the importation of Mexican workers to be employed on corporate farms in this country. Telegram of the Railway Labor Executives' Association to Senator MACFARLAND follows:

"The Ellender bill, S. 984, providing importation of Mexican workers to be employed on corporate farms in this country, which is now pending in the Senate, deeply concerns all organized labor. The measure as reported is virtually without standards and constitutes a threat to domestic workers, both agricultural and industrial. It runs directly counter to the findings and recommendations of the President's Commission on Migratory Labor, which was issued a few days after the Senate Agriculture Committee reported the measure. The Commission report, based on many months of study and hearings throughout the country by the distinguished and impartial members of that body, raises fundamental questions as to the need for any legislation to import foreign workers. Furthermore, the Ellender bill completely disregards the recent study published by the Joint Congressional Committee on the Economic Report, showing extensive unemployment and poverty among marginal farm families of the country from among whom large numbers of agricultural workers can be recruited. Recent series of articles in the New York Times and other newspapers and magazines have shown the scandalous conditions under which millions of Mexican immigrants, both legal and illegal, the so-called wetbacks, live in our country. Such conditions jeopardize conditions of all other workers. The Ellender measure is likely to add to these disgraceful conditions. In view of these facts it should be sent back to committee for further consideration and should go to the Senate Committee on Labor and Public Welfare in accord with the explicit provisions respecting importation of foreign workers and labor standards contained in Public Law 601, the La Follette-Monroney Reorganization Act. Evidence is ample that in this critical period of defense mobilization enough of our own citizens can be mustered to handle food and fiber crops if working conditions of minimum decency are offered.

"G. E. LEIGHTY,
"Chairman, Railway Labor Executives' Association."

WASHINGTON, D. C., April 25, 1951.—A. F. of L. President William Green today made public the following wire opposing the Ellender bill (S. 984) providing the recruitment and importation of Mexican farm workers. This wire has been sent to Senate Majority Leader MCFARLAND:

"Senator ERNEST W. MCFARLAND,
"Senate Office Building,
"Washington, D. C.:

"The American Federation of Labor offers its objections to the enactment of S. 984 to provide for the recruitment and importation of Mexican workers for agricultural labor in the United States, which is now pending before the Senate.

"The bill as reported by the committee does not provide adequate safeguards to protect the interests of domestic farm labor, and is contrary to the findings and recommendations of the President's Commission on Migratory Labor, which was issued March 26, 1951.

"The report clearly indicates that the importation of foreign farm labor would be to depress still further the wages and working conditions of American farm labor, a group which is worse off economically than any other in our population.

"The A. F. of L. firmly believes that the need for the importation of foreign labor is overemphasized. At the present time there are approximately 150,000 agricultural workers in Puerto Rico unemployed, and there

are 190,000 partially employed—working less than 30 hours per week. However, if there is a genuine need for agricultural labor, the Puerto Rican and domestic labor market should be fully utilized before importing foreign labor.

"We strongly urge that S. 984 in its present form be recommittees back to committee with instructions to provide for the recruitment of American workers wherever they are needed, under decent working conditions and adequate wages, before any attempt is made to bring in foreign farm labor.

"WILLIAM GREEN,
"President, American Federation of Labor."

PATTON URGES DEFEAT OF ELLENDER FARM LABOR BILL

WASHINGTON, D. C., April 25, 1951.—In a telegram sent today to Senate Majority Leader ERNEST A. MCFARLAND, James G. Patton, president of the National Farmers Union, urged the defeat of the Ellender bill (S. 984) providing for the importation of cheap foreign labor.

The text of the telegram is as follows:

"National Farmers Union believes S. 984 should be defeated. Bringing in cheap foreign labor without setting decent standards and without first trying to recruit tremendous numbers of underemployed American agricultural workers breaks faith with the American people and their ideals. This supply of cheap foreign labor threatens both the family farm as the basic pattern of American agriculture and the hard-earned gains of American labor. This bill violates President Truman's manpower policy declaration of January 17 giving full assurance that full use of domestic manpower resources will be made before bringing in foreign workers. It ignores careful findings of Sparkman committee report on low-income rural families, revealing existence of equivalent of more than 2,500,000 underemployed agricultural workers. Bill was reported out before President's Commission on Migratory Labor gave its report to the President, portraying disgraceful conditions of migrant workers and subservience of many Government officials to pressures of big growers. We urge Senate to reject this bill and consider first legislation for the effective utilization of American workers."

NATIONAL FARMERS UNION,
Washington, D. C., April 30, 1951.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: In accordance with our conversation of this afternoon, I am sending along some material on farm labor which may be of use to you.

The Ellender bill is a vicious piece of legislation which threatens not only the standards of American workers, but also the family farm as the basic pattern to American agriculture. Ignoring ample evidence showing vast numbers of underutilized American agricultural workers, the proponents of this legislation are intent upon bringing into this country all the cheap foreign labor that they possibly can get. In back of this bill have been the big growers as well as the food processors who have sought to have the definition of agricultural workers broadened so as to include workers in the various food processing industries. Fortunately this latter provision has been eliminated from the Senate bill.

It is significant that no attempt has been made by those crying most loudly for agricultural labor to say that they will offer decent standards of working conditions as an inducement. They much prefer to continue the shocking living and working conditions now existing for migrant agricultural workers, both domestic and foreign. They too

often have enjoyed the sympathy and support of the Farm Placement Service in the Department of Labor, a group which generally has responded with amazing alacrity to the demands of the growers. An illustration of this is afforded by the structure and operation of the special farm labor committee to the Farm Placement Service. This committee is composed solely of grower and processor representatives. They have been quick to report great shortages of labor, and they have repeatedly indicated that it will be impossible to harvest the large crops needed in the mobilization period without the importation of farm labor. When it is suggested to them that might they not look toward the underutilized American workers they become angry and say there is no time for social revolution.

The moral issue here is quite clear. These migrant workers have been abused and ignored for many years now, and their conditions have gotten worse rather than better. Recent stories such as those in the New York Times have emphasized how shocking are their living and working conditions.

On the mobilization side the issue seems equally clear. At a time when the Nation is seeking to employ to the fullest capacity its total manpower resources, it is wasteful to ignore this potential pool. Yet the proponents of the Ellender bill propose to do just that.

The Report of the President's Commission on Migratory Labor, which I am enclosing, offers abundant evidence to document the misery and abuse which migrant workers know. Practically every page offers illustrations from the field of what is happening in America in 1951. This was a carefully drawn up report and was made by a group of outstanding people. Pages 177 to 185 summarize their recommendations. Yet, the proponents of the Ellender bill were most eager not to hear what was in this report.

Under employment of rural families, a study prepared for the Joint Committee on Economic Report, spells out the extent of the under-utilization of America's farm people. I have marked for your attention pages 3 to 5, 11, 19, and 20. This report concludes that if we were to utilize fully the rural people discussed here, we would achieve the equivalent of adding 2,500,000 workers to our total labor force. The proponents of the Ellender bill made clear at the Senate Agriculture hearings that they had not the slightest interest in utilizing these people. To employ them would mean setting up decent standards for agricultural workers. Like the industrialists of an earlier period, the feudal lords of agriculture much prefer to import cheap foreign labor.

I should emphasize that the issue is not that of opposing the importation of foreign labor. If these people are needed, then certainly we should take steps to bring them in. But we should also make certain that they come under decent standards. And even more important, we must be certain that we have tried to utilize our own neglected rural people. The hostility which many labor groups, church groups, and the Farmers Union have shown to this bill is based upon a conviction that its advocates are not interested in such prior considerations.

If we can be of any further help to you, please do not hesitate to call upon us. We deeply appreciate your interest in this matter.

Sincerely yours,

ROBERT ENGLER.

Mr. MORSE. Mr. President, while I am inserting material in the RECORD, at this point, as a part of my remarks, I should like to have printed in the RECORD a letter which I have received from the president of the Oregon Farm Bureau Federation in regard to the problem

which is involved in the pending legislation, including a copy of a letter which he addressed to my senior colleague (Mr. CORDON), with copies to the other members of the Oregon delegation, and my reply to his letter.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

FEBRUARY 19, 1951.

Mr. MARSHALL SWEARINGEN,
President, Oregon Farm Bureau
Federation, Salem, Oreg.

DEAR MR. SWEARINGEN: Thank you very much for your letter of February 12, enclosing copy of a letter to Senator CORDON.

I am, indeed, very much interested in having Portland made a point of entry in regard to any program for getting offshore labor. You may be sure that I shall carefully scrutinize any administrative or legislative proposals on this problem with that in mind.

With kind regards,
Sincerely yours,

WAYNE MORSE.

OREGON FARM BUREAU FEDERATION,
Salem, Oreg., February 12, 1951.
The Honorable WAYNE MORSE,
The United States Senate,
Washington, D. C.

DEAR SENATOR MORSE: The enclosed letter to Senator CORDON is self-explanatory.

We feel that if this suggestion is sufficiently supported by many groups in the State of Oregon and by some groups in our neighboring States of Washington, Idaho, and the northern part of California, that Portland could be made a port of entry. While this would not solve the entire problem, it would help.

We thought you would be interested in what we are doing on the subject and we encourage you to advise us of your actions.

Yours very truly,

MARSHALL SWEARINGEN,
President.

OREGON FARM BUREAU FEDERATION,
February 12, 1951.
Re offshore labor as it affects the Pacific
Northwest problem.
The Honorable GUY CORDON,
The United States Senate,
Washington, D. C.

DEAR SENATOR CORDON: As you know, the general matter of offshore labor is of extreme importance for this coming harvest season. You further are aware of a series of meetings recently held in Washington, D. C. with representatives of the various grower organizations and the Department of Agriculture.

While the general problem has been undertaken with a workmanlike fashion, and we believe the steps on the general problem will lead to proper handling of the problem. None the less it appears that the Pacific Northwest, due to its geographical problems, has become a second cousin as compared to the over-all picture.

We refer to the great area of the South and the East, and even California, and the other States near or bordering on the Mexican boundary. These folks apparently seem quite satisfied with the way the program is going, and are not interested in any payment of transportation beyond the nearest point of entry.

As you know the nearest port of entry for even the Portland area is some 800 miles from San Francisco, and therein lies our suggestion for at least a partial solving of the Northwest problem.

We believe that Portland should immediately be made a port of entry and would like to submit that nearly all of the area which would be served from that point including Washington, Idaho, Oregon, and even the

Tulelake portion of California is within the 500-mile limit.

Probably the establishment of Portland as a port of entry would do more to give the Northwest a break than any other move we might make at this time, although other alternate proposals may be made.

We have talked this matter over with Mr. Snyder of the Blue Lake Cannery, some of the folks of the Portland Chamber of Commerce, and we are now contacting the Farm Bureaus of Washington, Idaho, and the labor users in northern California.

We would appreciate your interesting yourself in this matter if you have not already done so, and at the same time advising us what further steps we might take to urge the establishment of Portland as a port of entry.

Yours very truly,

MARSHALL SWEARINGEN, President.

Mr. MORSE. Mr. President, I also ask to have printed in the RECORD at this point as a part of my remarks another letter which was sent to my senior colleague, with copies to the other members of the Oregon delegation, from Robert K. Norris, of the labor committee of the Rogue Valley Traffic Association and Fruit Growers' League.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 23, 1951.

Senator GUY CORDON,
Senate Office Building,
Washington, D. C.

DEAR SENATOR CORDON: Thank you for your letter of April 13, relative to the importation of foreign labor, together with copies of the Senate and House bills.

We have gone over both bills, and while in our opinion, some additional Federal funds should be appropriated, and might have to be appropriated in the future, to aid the farmer in carrying the very heavy added financial burden of importing foreign labor, we realize that because of other pressure, these bills are probably about the best that can be obtained at this time.

Medford growers, for example, have put a lot of money in the past years into their labor camp, but are digging up another \$10,000 at this time to put the camp in shape for the coming season. Payment of going wages for the foreign labor is fixed and satisfactory, but the three quarter guaranteed working time clause plus board payment for non-work days, together with transportation costs to and from the border, and a \$20 payment per man at the border will run our costs very high.

We are perhaps more fortunate at Medford than most other districts in that barring bad weather, we can give reasonable steady employment to these men for 2 months. Under the 4-month contract we plan to work with peas in eastern Oregon, which tie-in the 6 weeks ahead of Medford. If possible, we will try to help Hood River or Klamath potatoes on the tail end of the season. This combination should work fairly well with a minimum expense for loss of working time.

We do not expect to break even on the allowed \$1.75 per day for board. Our total cost for use of the 450 men at Medford for transportation, loss of time, additional board cost, camp maintenance, \$20 per man to the Government for recruitment costs and transportation will run to approximately \$70,000 over and above normal wage payments. I hope the return for the fruit will warrant this expense.

The set-up in other districts of the State is generally worse than our own. I attended a meeting in Salem last Monday of representatives from different parts of the State, where they are worried about the harvest labor situation. When the picture of added costs

above normal wages for this help was given to them, many of them shook their heads and left the meeting. They felt the added costs of qualifying to employ foreign workers would be prohibitive to their farmers.

A part of this would be caused by the required 4-month contract which does not lend itself too well to short peak use of foreign labor. Cherries, hops, beans, and other truck crops, all call for rather large numbers of workers, but only for a 2- or 3-week period. Frequently these crops overlap and all want them at the same time, with large gaps of unemployment between. Loss of time and board payment runs up the cost. Peas in eastern Oregon for a 6-week period ties in pretty well with Medford's 8 weeks. Loss of working time and board payments would not be too severe. Sugar beets also have reasonably long runs in the spring and fall, and can probably qualify.

But there will be such sizeable gaps between cherries, the different truck crops, hops and late fruit in Hood River, and potatoes in Klamath, that the farmers are discouraged about the whole deal. They feel that with unemployment pay and board payments for loss of time between jobs, plus going wages and transportation for peak short time usage of foreign labor, the farmer cannot get out with a whole skin. Undoubtedly, most of these farmers will not sign up for foreign labor and will try to get by. As a result there will be a severe labor shortage, particularly in the Willamette Valley and probably in Hood River, and Klamath potatoes. A part of the crop will not be harvested. Looking ahead in 1952, when more men may be under arms and more employed in war industry, unless some help is given these farmers in the way of shorter contract periods, or part payment of subsistence and transportation of foreign labor, you would do as the farmers will do, simply not plant as much acreage and in many cases move to employment in war industry.

If foodstuffs are needed in the future and labor does not become more available, Federal assistance over and above mere recruitment at the growers' expense at the border will have to be given.

We still feel that emergency funds are used to transport labor across country to shipyards and other centers of industry and to subsidize industry in unusual costs of retooling and manufacture of needed goods. Certainly food is also a necessary part of the program and it is reasonable that more help must be given the farmers of the Northwest to help in covering some of their unusual expense, or production will be curtailed as the labor market continues to tighten. The Northwest, we believe, is a bit different from most other sections of the country, in that most of these high producing and specialized crop districts lie many miles to hundreds of miles from large centers of population. Farmers are dependent upon migratory workers, which supply dries up in times of heavy employment in industry.

If it is anticipated that a shortage of migratory labor will be with us for the next year or two ahead, and if the Department of Agriculture is sincere in their request for greater production of foodstuffs, the present bill should be liberalized to allow for greater aid to Northwest farmers, at this time.

Harvest season is only a few months away. Even only a partial loss of crops this season from lack of labor would materially reduce fall planting and loss of production in 1952. However, the present bills are better than nothing at all, and rather than run the chance of having no bill, you might deem it best to go ahead with the present bills, and consider emergency appropriations as the situation becomes more critical.

Sincerely,

ROBERT K. NORRIS,
Labor Committee Rogue Valley Traffic
Association, and Fruit Growers
League, Inc.

Mr. MORSE. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a letter which I received from Mr. Charles R. Jacobs, editor of the Western Canner and Packer, together with a news release and a brief article dealing with the question, "Where will we get the workers for the 1951 harvest season?"

There being no objection, the letter and articles were ordered to be printed in the RECORD, as follows:

WESTERN CANNER AND PACKER,
San Francisco, Calif., April 17, 1951.

The Honorable WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: Enclosed are tear sheets from the April issue of Western Canner and Packer on the article, Where Will We Get the Workers for the 1951 Harvest Season? The material contained in it is the result of carefully conducted questionnaires, personal interviews, and previously published material. Unquestionably, we feel that it accurately reflects the attitude of packers, canners, and farmers, and particularly those in the western regions.

Also enclosed is a photostatic print reproduced from a California newspaper emanating from Associated Press. The divergence of opinion between this press clipping and our article is quite evident and raises considerable doubt in my mind that the Commission is fully aware of the true facts. Certainly the California packer and canner does not feel complacent nor assured that domestic help is going to solve his difficulties without the need for foreign importation. The awareness of this need is just as fully felt by Gov. Earl Warren. Such findings by this Commission appointed by President Truman sound ridiculous and quite devoid of justifiable evidence to western packers.

I would like to invite any comments you might care to make either in justification, condemnation, or in explanation. As a publication, Western Canner and Packer is recognized as an authoritative, impartial trade journal that has been held in respect by the trade since 1905. We are not in the habit of publishing what we can't substantiate. From the standpoint of our readers and the industry we represent we would like evidence the afore-mentioned Commission knows what it is talking about.

Sincerely,

WESTERN CANNER AND PACKER,
CHARLES R. JACOBS, Editor.

UNITED STATES DOESN'T NEED FOREIGN FARM HELP, COMMISSION FINDS

WASHINGTON.—A presidential commission has reported this country does not need foreign farm laborers. It urged more efficient use of Americans with better wages and living standards.

In a report Sunday, President Truman's migratory labor commission said there are about 1,000,000 migratory farm workers in this country, half of them from Mexico. Some 80 percent of the Mexican workers, it said, crossed the border illegally. Other foreign workers were brought into agricultural areas to meet local labor shortages.

The five-man commission, named by Mr. Truman last June 3, said foreign workers depressed wages of competing Americans and brought on serious health situations. It noted that some foreign workers also took nonfarm jobs, lowering the average pay.

Besides, it contended, the domestic labor supply would be adequate to produce all the food needed in the present emergency, if farm pay and living conditions were improved.

The commission proposed Federal aid to States and changes in administration and legislation to solve the problem.

President Truman, commenting on the report said it deserves the careful consideration of all of us—the Congress, the executive agencies, and the general public.

The commission drew a drab picture of the migratory farm workers on the move from one area to another:

"They neither claim the community as a home nor does the community claim them. Local authorities are not insensitive to the misery of migrants, although under present laws of residence, they are almost helpless to deal with it."

The commission recommended:

1. A Federal committee on migratory farm labor to coordinate Federal, State, and private activities relating to such labor.

2. Legislation prohibiting employment of aliens illegally, authorizing the immigration and naturalization service to search farms—but not farm homes—for illegal aliens and providing fines against persons hiring and transporting illegal aliens.

3. That United States citizens in Puerto Rico and Hawaii be given first call when outside labor is needed.

4. That agricultural workers be given legal assurance of their right to organize by extension of the Taft-Hartley Act to large farms.

5. Grants-in-aid by the Agriculture Department to States for the establishment of labor camps. Development of a rural non-farm housing program for migrants when they are not traveling to jobs.

6. That social security, public health, and education programs be extended to cover migratory workers, with Federal financial aid to the States and cities.

[From Western Canner and Packer for April 1951]

WHERE WILL WE GET THE WORKERS FOR THE 1951 HARVEST SEASON?—FOOD GROWERS AND PROCESSORS FACE AN EXTREME MANPOWER SHORTAGE IN THE MONTHS AHEAD; INDUSTRY AND GOVERNMENT ARE STILL SEEKING THE SOLUTION

Faced with a steadily increasing national defense program that is skyrocketing manpower requirements for all industry as well as for the armed services, agriculture, which is already suffering labor shortages, is confronted with an extreme shortage in 1951.

That this condition is readily recognizable is the fact that uneasiness is reflected among the growers, the processors, the canners and packers, and others who, by the nature of their business, will be directly affected. Men close to the problem estimate that for California and Arizona alone, the 1951 harvest season will require at least 35,000 offshore domestics and farm workers. Efforts to evaluate the situation in terms of majority reasoning point to a wide divergence of ideas and opinions depending, apparently, upon how the individual or group is affected.

In a sectional poll of a group of representative packers and canners, in a more or less localized California area, the consensus was this:

A labor shortage possibly even worse than that experienced in World War II.

The shortage will apply to skilled and semiskilled as well as common stoop labor.

The Government should do everything possible to import foreign nationals, such as Mexicans, Puerto Ricans, Hawaiians, etc., and should also recognize the necessity for certain types of farm workers and give them draft deferments.

The local communities are doing very little if anything about the situation.

Answers to the question, "What can an individual firm such as yours do?" produces replies that varied from "nothing" to a vague "I don't know," to "we can do little except

support local, State, and Federal Government organizations and use labor-saving equipment wherever possible."

Oregon, Washington, and Utah, as well, seem even more vague in the wholehearted support of the use of foreign nationals but they have requested help from Washington, D. C., and appear to be willing to go along with any concrete solution to the problem that might be forthcoming from that source. Statewide and through local communities, they are making determined efforts to develop programs whereby help may be obtained through groups and, particularly, by the use of youth organizations and school children.

In connection with this, one source in the Northwest States, "as you know, one of the real troubles we run into is the unemployment pay and pension question and we are endeavoring to overcome this. However, it is not going to be easy; it looks as though a big crop is coming up this year and our chief difficulty will be to get it off the fields. We would certainly welcome suggestions as to how to get people to work when they do not want to."

ILLINOIS VIEWPOINT

In Illinois, the first meeting of the State placement advisory committee was held in January, together with members of the State Employment Service and the USES regional office. Responsible representatives of general farming felt that if a solution were not evolved there would be a definite decrease in farm production by 1952. Out of that meeting came the agreement that a method should be devised for deferring key men in agricultural positions from military service to some reasonable extent. It was also felt that as more farm workers are taken for military service, farmers, having a comparatively intimate acquaintance of long standing with their county agents, might likely feel that such agents could better handle the job of farm labor recruitment than the employment service. If this were the case, there might be developing pressure to remove agricultural labor procurement from the Employment Service once more and return it to agriculture.

HAWAII POSSIBILITIES

Insofar as Hawaii is concerned, there appears to be no anticipated shortage of harvest labor in 1951 and, according to published figures in December 1950, there were some 17,000 unemployed persons of whom 6,000 are Filipino agricultural workers (80 percent of them aliens). California is eyeing this source with considerable interest and it seems there is a possibility that recruitment of labor in Hawaii for the mainland may be undertaken under official supervision. A survey has been started there with the determination of that possibility as one of its goals. Heretofore, such private recruitment that has been carried on has been unsatisfactory in reported cases.

To send aliens from Hawaii to the mainland, many obstacles must be overcome and plans to iron out such a procedure are now being studied. However, other thousands may be sent to California without such formalities. These include some 8,600 high school and vocational graduates who will leave school soon. In addition, according to press reports quoting official sources, there are thousands from the last 2 years' graduating classes who have never found employment. These are not included in the officially defined "unemployed" category.

The importance of farm labor in California's agriculture is indicated by the report from the farm placement chief of the State department of employment that at the peak of employment, the total farm work force was estimated at 492,000. California and the Southwest have always needed and used some kind of supplemental labor in the harvesting of crops. Chinese, Indians, Filipinos,

Japanese, Hindus, and Mexicans have been used. As one authority puts it, "It is doubtful if our farmers will ever be able to get along without some type of supplemental labor in their harvesting."

MEXICAN PROBLEM

Despite the fact that most farmers, canners and packers unhesitatingly recommend Mexican farm labor, this problem, at present is a burning one and to understand it more fully some past history should be given. In 1942, the sugar-beet industry brought 1,500 Mexican nationals into California under contract for their harvest season and the present Mexican national program is an aftermath of this federally sponsored and financed program. All growers soon realized that larger numbers of such workers were a necessity and California reached its peak in their use in 1946 when 36,000 of them were placed under contract. This number has gradually decreased since the end of World War II as more domestic laborers became available until only 7,000 were working in California this year, most of them in areas close to the Mexican border.

After the close of World War II, Congress discontinued the appropriation of funds for a governmental program. The Farm Placement Service was taken from the Department of Agriculture and placed within the Department of Labor. This meant that the program on a State level was returned to the various departments of employment.

While the program was operated by the Federal Government, the agreements with Mexico and the individual contracts became more and more in favor of the worker. This trend increased after the Department of Labor took over and today, we find a contract which does not contain any semblance of the factor of worker responsibility. A prominent Southwest labor leader explains it thusly:

"Early in 1947, a simple workable agreement was reached by the growers with Mexico covering the placing of agricultural workers under contract with our Immigration Service approving and certifying as to need. It seems this agreement was too simple and workable for governmental efficiency, so in November 1947, a conference was called in El Paso, Tex., attended by Mexican officials, brass from our own Immigration Service, Department of State and United States Employment Service, together with subrepresentatives of the users of foreign labor.

"The users were allowed to meet and to offer suggestions as to details of the proposed agreement but were barred from the actual conference and finally told what the terms and conditions would be, whether they like them or not, even though the user would foot the bill. This attitude has prevailed in all subsequent negotiations and any change does not appear probable."

That this situation does exist is evidenced by the earnest appeals to the Washington departments concerned by men who voice the hope that our Government and Mexico can and will effect an improvement over the present method of obtaining Mexican farm workers this year in the United States. One suggestion is that the recent yearly agreement between Mexico and the United States should be improved, and that our Government should pay the Mexican Government, for each worker sent here, an amount to reimburse Mexico for the recruiting and transportation. The reason for emphasis in regard to Mexican nationals is because of the fact that they have been the most consistent, most readily accessible source that can be recruited in large numbers.

SUGGESTED REMEDY

A special farm labor committee, a 48-man advisory group to farm placement on the Federal level, meeting recently in Washington, D. C., gave considerable time to discussion of the Mexican labor problem and

unanimously agreed to a recommendation. It is as follows:

"The present contract under the international executive agreement is completely unsatisfactory, and almost entirely inoperative, and the committee cannot state too strongly its urgent recommendation that the Department of State change its policy of recommendation and negotiation with the Mexican Government to give America agricultural equal status in such negotiation to that accorded political and commercial interests.

"The Mexican Government has consistently demanded conditions in the contract which are in excess of those afforded the Mexican worker in his homeland and better than the domestic worker enjoys in the United States. Even after an agreement has been adopted by both Governments the Mexican Government continually violates the spirit of the agreement.

"This situation, grievous as it has been to many American farmers, has been tolerated for a period of time because while it caused irreparable damage to many producers it did not constitute a serious threat to our national economy. However, we are entering a period of extreme shortages of agricultural manpower which will retard production so that a great many farmers may find themselves unable to provide the food and fiber necessary to meet the demand of our own citizenry, the Armed Forces and the peoples of friendly nations.

"Therefore, the committee recommends that in order to alleviate this serious situation, the Department of State with the aid and advice from the Mexican Labor Committee, make an immediate, realistic, and determined effort * * * to work out a new agreement in which the Mexican workers accept working conditions identical to those afforded the domestic worker and by which both parties will abide. If this is not possible, the American Government is requested to take the necessary steps, either through legislation similar to that now before Congress, or by other means, to make available to the American producers the Mexican Nationals who desire to work in the United States under the same conditions as our domestic farm workers during the present emergency."

Mexico City reports that the Mexican farm workers' attitude toward American farms is so enthusiastic that they are rushing to get over the border into the United States for agricultural labor opportunities without waiting for the formalities of any diplomatic decisions. If this news may be accepted, it would seem that the chief current problem is getting the Mexican Government to allow their agricultural workers to leave and the American Government to allow them to arrive.

A complete reversal of opinion are the views voiced by union officials. Their contention is that there is an adequate amount of laborers in the West and Southwest and there will remain adequate harvest workers without necessitating any influx of Mexican Nationals. They further voice the opinion that, in this area, any assumption of a forthcoming labor shortage is highly colored and genuinely inaccurate, and that proper housing would pose a problem if foreign help was admitted. The union attitude is that the general wage scale would be seriously lowered and that importation is neither desired nor needed.

WHAT CALIFORNIA'S DOING

In California, a measure has been introduced establishing an agency quite similar to the California Farm Production Council, which rendered agricultural assistance in World War II. This type of service is designed to assist farmers in providing housing and necessary supplies for farm workers, as well as to expedite the securing of many supplies necessary to maximum crop pro-

duction which may be increasingly difficult to obtain. Besides surveying available workers who might be introduced from Hawaii, the State is working on a program of assistance to migratory farm workers under the direction of a special committee of 15 appointed by Gov. Earl Warren.

They have submitted a preliminary report in which they have recommended, among other things, that the State: 1. Create a permanent State board to look after the farm labor problems in all its aspects—health, housing, work conditions, etc. 2. Crack down on unscrupulous labor contractors who abuse farm workers. 3. Set up easy loan systems to help migrants buy homes of their own. 4. Tighten up State housing regulations for labor camps so that higher standards of sanitation, health, and water supply are maintained.

It is felt that by making their farm labor housing as livable as possible, by carefully planning their work so that more continuous employment may be offered, and perhaps by cooperating with neighbors in providing more continuous employment for especially desirable year-round help, farmers can offer sufficiently attractive working arrangements that many workers will not seek other types of employment.

This labor shortage gives every indication that it will start in the field and go right through to the warehouse and loading crew with skilled men such as tractor drivers, truck drivers, etc., an equal problem along with common stoop labor. Some sources feel that even though a policy and manpower board may be set up this year, much of its effect will not be reflected until 1952. In any event, in such a situation, the farmer, the canner, and the packer will have to plan his operations carefully to make the best possible use of the help which is available.

NEW INSECTICIDE PLANT

Installation of a new insecticide processing plant and branch office headquarters at Santa Maria, Calif., for the California-Spray Chemical Corporation has been completed, according to Wade Choate, the firm's district manager.

Located on Catalina Avenue, the plant is equipped with a high-capacity dust mill capable of producing up to 6,000 pounds per hour. Other plant facilities include a warehouse and office facilities.

According to Choate, the new plant will process such organics as Vaportone (tepp), Isotox (lindane), Persisto (DDT), Orthene 3D (DDD), Alitox (toxaphene), and Vapophos (parathion). It will provide freshly prepared Ortho dusts and wettable powders to growers in Santa Barbara County and adjacent areas.

STATE APPOINTS BRADEN

Joseph R. Braden, vice president of Richmond-Chase Co., San Jose, Calif., has been appointed by Gov. Earl Warren to the State water pollution control board, to complete the unexpired term of Ralph E. Sanborn, California Packing Corp., San Francisco, who resigned because of ill health.

Braden is a member of the waste disposal committee of Canners League of California, San Francisco, and is president of Santa Clara County Canners Association, a group of 14 canning companies in Santa Clara County organized for the purpose of attacking waste disposal and water-pollution problems.

He also is concerned with direction of the Canner's League waste-disposal experimental plant at San Jose, where with USDA's western regional research laboratory, joint pilot-plant studies have been pursued to develop a suitable method of making usable byproducts from fruit and vegetable cannery wastes.

FEEDING CROPS

According to Allen B. Lemmon, chief, bureau of chemistry, California Department of Agriculture, it costs California farmers

\$1,000,000 each week to feed their crops. Sales of commercial fertilizers reached the record high of 640,000 tons during 1950. A total of 173,853 tons were reported during the last quarter of the year, the largest tonnage ever reported for any 3-month period in California, including 44,513 tons ammonium sulfate, 37,575 tons mixed commercial fertilizers, 22,248 tons ammonium nitrate, and 19,911 tons of normal superphosphate. Agricultural gypsum continued to account for the major portion of the tonnage of agricultural minerals reflecting the large usage of this mineral in the southern part of the San Joaquin Valley where much of the material is mined.

Mr. MORSE. Mr. President, as to the telegrams which have been received from the heads of various labor organizations and from the head of the Farmers' Union, it seems to me that those telegrams bespeak an earnest and understandable anxiety over the legislation now being debated. It stands to reason that any measure whose effect may possibly be to increase the large pools of foreign labor already in this country, particularly from Mexico—about which we have recently been reading in the New York Times, the magazine Look, and other newspapers and magazines—must naturally cause all domestic labor, whether industrial or agricultural, grave fears. For this alien labor comes almost exclusively from underprivileged groups in neighboring foreign countries whose standards of pay and working conditions are far lower than accepted standards in our Nation. The presence of these multitudes of foreign workers, many of them illegally here, cannot fail to be a serious depressant on the standards of domestic labor.

Mr. CHAVEZ. Mr. President, may I help the Senator?

Mr. MORSE. I always appreciate any help I can get.

Mr. CHAVEZ. One who knows the problem, a member of the President's Commission, a religious man who has been dealing with the problem for years, sent me a telegram, which was inserted in the RECORD yesterday, but which I should like to call to the attention of my good friend from Oregon. The telegram reads as follows:

SAN ANTONIO, N. MEX., April 26, 1951.
Hon. DENNIS CHAVEZ,

Senate Office Building:

May I sincerely commend your efforts to amend the farm-labor measure now under Senate consideration so that it will contain at least some standards of decent working conditions and will not encourage a further influx across the border of large numbers of Mexican workers who are not needed. Having long studied the farm-labor situation in this area at first hand and in recent months as a member of the President's Commission on Migratory Labor in its Nationwide investigation I firmly believe that the demand for further Mexican workers is not justified. If a small number of alien workers are required immediate steps should be taken to organize our farm-labor force which in itself should be adequate for our needs. I wish you success in your noble undertaking.

Archbishop LUCEY.

He is on the ground and sees the problem daily—not in a conference with interested parties in Mexico City, but dealing with hunger and poverty, dealing with bad health, dealing with bad school

conditions. He says that such labor is not needed.

I thank the Senator.

Mr. MORSE. Again I thank the Senator from New Mexico for this reinforcing evidence in support of the premise which I have sought to defend in this speech.

Mr. President, before I yielded to the Senator from New Mexico I was speaking of the problems which are created for our domestic labor by bringing into the country large numbers of foreign laborers. I point out that the report of the President's Commission on Migratory Labor discusses this situation in careful analysis and confirms the fears voiced by these labor leaders whose wires I have read.

We in the Pacific Northwest have a real problem in obtaining adequate farm labor in our peak fruit and other specialty crop harvesting seasons. But the legislation now before us is certainly not designed to help us solve our problem, as my colleague the senior Senator from Washington [Mr. MAGNUSON] has made clear in his testimony before the Senate Agriculture Committee and by his introduction with others of a measure very different from that now pending before the Senate.

The latter bill, as reported to the Senate, would quite clearly discriminate against my section of the country. Certainly it would discriminate against my section of the country and the Pacific Northwest unless an amendment such as that submitted by my senior colleague [Mr. CORDON] were adopted, which would establish in that area, say at the port of Portland, a port of entry for migrant workers. The Government would then undertake the responsibility and the obligation of getting the workers to the port of entry, and the farmers of my section would be allowed to make their contracts with the laborers at that point. Charges for the transportation of the workers should start at the point of entry.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CHAVEZ. Let me emphasize the disadvantage under which the farmer from Oregon will find himself unless such an amendment is accepted. The bill was designed for the purpose of helping only farmers along the Rio Grande and in California along the Mexican border. The reception centers would be there. All a Mexican worker would have to pay would be three Mexican cents tribute to Stone and Webster of El Paso, and he could then cross the border and be available to the farmers of that area. But if the pear grower or the vegetable grower in Oregon, or Washington, or the wheat grower of the Northwest wants labor, he must go clear to the Mexican border before he can get any of those laborers, or deal with them to make a contract. So the bill is sectional in its spirit. I do not like sectional legislation. If we are to help anyone, let us help all.

Mr. MORSE. Again I am indebted to the Senator from New Mexico for his contribution to my discussion of the

problem engrossing our attention. I completely agree with him, as I pointed out earlier in my remarks, in his statement that the bill discriminates against the Pacific Northwest and other sections of the country far removed from the Rio Grande. In my opinion the Senator from New Mexico is correct in stating that the effect of the bill, irrespective of its design, would be to produce great labor benefits for the people along the Rio Grande, but no fair benefits to the people of the Pacific Northwest, for example, unless such an amendment were adopted as that offered by my senior colleague, providing for a port of entry, and an obligation on the part of the Government to get the foreign workers there, thus affording an opportunity for contracts to be entered into between the farmers and the workers at the port of entry.

Again, in my opinion, the only justification that can be offered for the kind of involved subsidy, a travel subsidy, is the disjuncture in the domestic supply of labor which has been caused by the defense program itself, both because of inductions into the armed services and because of "inductions," if they may be called such, into defense industries. Many of our domestic migrant workers, who usually travel the Pacific Coast from harvest field to harvest field as the harvest season changes, starting at the South and ending up at the Canadian border, are now going in large numbers into defense plants, and, as the farmers in my State tell me in communications I have received from them, that has enhanced their problem of labor shortage.

My position is that the travel expense involved should be considered a part of the cost of the defense program. I do not consider that the farmers of my State, or of Washington, or of the other States of the Pacific Northwest, should be expected to foot the cost of transportation from the Mexican border, as explained by the Senator from New Mexico, to the States of Oregon, Washington, and neighboring States, when the cause for the need of the laborers grows directly out of the defense effort itself.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. BUTLER of Maryland. In my opinion, the amendment proposed to be offered by the senior Senator from Oregon [Mr. CORDON] is an excellent one and it would certainly make the proposed legislation much fairer. But if it is adopted, should there not be some limitation on the number of the reception centers provided for, and some definite localities indicated where they should be situated?

Mr. CHAVEZ. Will the Senator from Oregon indulge me?

Mr. MORSE. I yield.

Mr. CHAVEZ. I have delved deeply into this matter. I come from the Mexican border, and am brought into contact with the problem daily. It affects the people in my State intimately. I fully agree with the Senator from Maryland that something definite should be

provided. That is why I insist that an adequate investigation be made of the supply of American labor before any foreign labor is allowed to enter. If sufficient labor can be secured in Maryland, New Mexico, and Oregon, let us utilize it. I cannot see how we can be justified in bringing foreign labor to work in this country when there is a sufficient number of American laborers available. I believe we should investigate and ascertain whether a sufficient number of American laborers is available. If a sufficient number is not available, very well, let the necessary number of foreign laborers come into the United States.

Mr. MORSE. The Senator has made a very meritorious point. I feel that consideration will have to be given both as to the total number needed, and also as to the location of the ports of entry.

Mr. CAIN. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield to my good friend from the Pacific coast.

Mr. CAIN. I should like to ask the junior Senator from Oregon if, as he understands, it was not the intention of his senior colleague in his proposed amendment to be fair with respect to the rights of farmers in every other section of the United States, as well as being fair to the farmers of the Pacific Northwest?

Mr. MORSE. That is correct; and I have said in my remarks that the bill in its present form discriminates against everyone except those in close proximity to the Rio Grande. I believe we have to perfect it in such a way that it will be fair to farmers everywhere in the United States.

Mr. CAIN. Then the junior Senator from Oregon agrees, does he not, that his senior colleague has no interest in sectionalism in this question at all, and that his amendment is a complete contradiction of any sectional flavor.

Mr. CHAVEZ. It does away with sectionalism.

Mr. MORSE. I am sorry that my senior colleague is engaged in an Appropriations Committee meeting at the present time and is not present to give his own testimony, but I am sure I can testify for him that the answer to the Senator's question is an emphatic affirmative. By his amendment he has no intention whatsoever of fostering sectionalism, or discrimination in terms of sectionalism.

Mr. CAIN. If Senators generally are trying only to accommodate the reasonable need of farmers throughout the country, every Member of the Senate can find a legitimate value in the Cordon amendment.

Mr. MORSE. That is my opinion. I am about through, Mr. President. In conclusion, it seems to me the issues involved in this bill are of such a fundamental character, both from the point of view of our national economy and from the point of view of our relations with the countries from which we are importing workers, that the bill must be considered solely from the point of view of the Nation as a whole. I feel that we must assess the problem with

careful deliberation and must weigh the evidence and recommendations adduced by the President's Commission. The work of these public-spirited Commission members, of the highest reputation for character and intellectual attainment, should certainly be given very careful consideration before we enact any legislation.

Let me digress long enough to pay a personal compliment and tribute to Professor Van Hecke, formerly Dean Van Hecke. I knew him for many years in law school work. In fact, it was my pleasure to sit at his feet as a student during one summer session. I cannot imagine anyone who could be motivated with finer public spirit, and a devotion to serve the interest of his country without fear or favoritism, than professor Van Hecke. I think he has done his typically fine job as a member of the President's Commission in coming forward with a report which I believe should be studied by every agricultural group in this country.

It is plain that the pending measure does not even nearly approach answering any of the recommendations of the Commission. In fact, I think quite the opposite is true. Consequently, since time does not permit the bill being sent back to committee, I believe it should be amended in major respects on the floor of the Senate if we are to get the workers who are needed in the various sections of the country where there in fact is a short labor supply.

Therefore, Mr. President, I sincerely hope that my colleagues in the Senate will give very careful consideration to the amendments which are being proposed to the bill. So far as I am concerned, I trust we will proceed with the consideration of this bill until it is finally disposed of, because if any legislative action is to be taken at this session of Congress it ought to be taken now. Therefore, the junior Senator from Oregon does not favor any postponement of the final consideration of the bill, but he does urge the adoption of the major amendments as recommended by his senior colleague from Oregon [Mr. CORDON], and by the Senator from New Mexico [Mr. CHAVEZ].

The PRESIDING OFFICER. The question is on the first committee amendment, which will be stated.

The LEGISLATIVE CLERK. On page 1, line 9, after the word "from" it is proposed to strike out "foreign countries within the Western Hemisphere (pursuant to arrangements between the United States and such countries) or from Hawaii or Puerto Rico," and insert "the Republic of Mexico (pursuant to arrangements between the United States and the Republic of Mexico)."

Mr. CHAVEZ. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. MURRAY in the chair). The Senator will state it.

Mr. CHAVEZ. If the committee amendment shall be adopted, will that preclude offering amendments to it?

The PRESIDING OFFICER. If the committee amendment were adopted,

that would foreclose the offering of any amendment to it.

Mr. CHAVEZ. From the floor?

The PRESIDING OFFICER. From the floor.

Mr. CHAVEZ. Mr. President, if that is the case, I submit to the committee amendment my amendment marked "4-25-51-J."

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 1, beginning with line 6, it is proposed to strike out through line 3 on page 2 and to insert the following:

SEC. 501. For the purpose of assisting in such production of agricultural commodities and products as the Secretary of Agriculture deems necessary, by supplying domestic agricultural workers (including those of the continental United States, Hawaii, Puerto Rico, and the Virgin Islands) and, if a sufficient number of such workers cannot be supplied, by supplying (pursuant to formal agreements between the United States and foreign countries within the Western Hemisphere) agricultural workers recruited in such foreign countries, the Secretary of Labor is authorized.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PASTORE in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Martin
Anderson	Hayden	Maybank
Bennett	Hendrickson	Millikin
Benton	Hennings	Monroney
Brewster	Hickenlooper	Moody
Bricker	Hill	Morse
Bridges	Hoey	Mundt
Butler, Md.	Holland	Murray
Butler, Nebr.	Hunt	Neely
Byrd	Ives	Nixon
Cain	Jenner	O'Connor
Capehart	Johnson, Colo.	O'Mahoney
Carlson	Johnson, Tex.	Pastore
Case	Johnston, S. C.	Robertson
Chavez	Kefauver	Russell
Clements	Kenn	Saltonstall
Connally	Kerr	Schoeppel
Cordon	Kilgore	Smathers
Dirksen	Knowland	Smith, Maine
Douglas	Lodge	Smith, N. J.
Duff	Long	Stennis
Dworschak	McCarran	Thye
Eaton	McCarthy	Tobey
Ellender	McClellan	Watkins
Ferguson	McFarland	Wherry
Frear	McKellar	Wiley
Fulbright	McMahon	Williams
Gillette	Malone	Young

Mr. JOHNSON of Texas. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Kentucky [Mr. UNDERWOOD] are absent on official business.

The Senator from Georgia [Mr. GEORGE] is necessarily absent.

The Senator from New York [Mr. LEHMAN] is absent by leave of the Senate on official business, having been appointed a member of the United States delegation to the World Health Organization, which will meet in Geneva, Switzerland.

The Senator from Washington [Mr. MAGNUSON] is absent by leave of the Senate on official committee business.

The Senator from North Carolina [Mr. SMITH] is absent by leave of the Senate.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. FLANDERS] is absent by leave of the Senate.

The Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate on official committee business.

The Senator from Ohio [Mr. TAFT] is necessarily absent.

The Senator from Idaho [Mr. WELKER] is absent on official business.

The PRESIDENT pro tempore. A quorum is present.

The question is on agreeing to the committee amendment beginning on page 1, line 9. This amendment, if agreed to, would not be open to amendment unless the vote by which it was agreed to were reconsidered. An amendment proposed as a substitute for the entire section will not be in order until the committee amendments have been disposed of, and when the offering of individual amendments is in order.

Mr. CHAVEZ. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. CHAVEZ. At the time the first committee amendment was stated by the clerk I made a parliamentary inquiry, as to whether or not, in the event the committee amendment were agreed to, I could call up individual amendments I had prepared. I was informed that I could not. Do I understand correctly that after all the committee amendments have been disposed of, amendments which I have prepared and which I intended to propose will be in order?

The PRESIDENT pro tempore. The amendment in the nature of a substitute for section 501 will be in order when the committee amendments have been acted on. However, any amendment to a committee amendment should be offered when the committee amendment is under consideration.

Mr. CHAVEZ. That was why I had the amendments printed, and why I stated that I intended to propose them. Do I understand correctly that after the committee amendments have been disposed of, whether approved or disapproved, the amendments I intend to propose will be in order?

The PRESIDENT pro tempore. That will depend on what is embraced in the proposed amendments. If an amendment were confined to the subject matter of a committee amendment, it would be in order, but it would have to be offered while the committee amendment was under consideration.

Mr. CHAVEZ. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDENT pro tempore. The Clerk will state the amendment for the information of the Senate.

The LEGISLATIVE CLERK. It is proposed, on page 1, beginning with line 6, to strike out through line 3 on page 2 and insert the following:

SEC. 501. For the purpose of assisting in such production of agricultural commodities and products as the Secretary of Agriculture deems necessary, by supplying domestic agricultural workers (including those of the continental United States, Hawaii, Puerto Rico, and the Virgin Islands) and, if a sufficient number of such workers cannot be supplied,

by supplying (pursuant to formal agreements between the United States and foreign countries within the Western Hemisphere) agricultural workers recruited in such foreign countries, the Secretary of Labor is authorized.

Mr. CHAVEZ. And then to continue with the rest of the bill.

The PRESIDENT pro tempore. That carries it beyond the purpose of the committee amendment. The Chair is advised by the parliamentarian that the Senator's amendment is not now in order.

Mr. CHAVEZ. At the moment?

The PRESIDENT pro tempore. At the moment. It will be in order later, but not at this time.

The question is on agreeing to the first committee amendment.

The amendment was agreed to.

The PRESIDENT pro tempore. The Clerk will state the next committee amendment.

The next amendment was, on page 2, line 5, to insert after "United States," the words "under legal entry";

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. CORDON. Mr. President, is there a committee amendment on page 3?

The PRESIDENT pro tempore. The amendment now being considered is on page 2 of the bill.

The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDENT pro tempore. The clerk will state the next committee amendment.

The amendment was, on page 3, line 15, after the word "for", to strike out "expenses incurred by it in the recruitment and transportation of workers under this title in such amounts, not to exceed \$20 per worker, as may be agreed upon by the United States and such employer" and insert "essential expenses, not including salaries or expenses of regular department or agency personnel, incurred by it for the transportation and subsistence of workers under this title in amounts not to exceed \$20 per worker."

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

There are several amendments to the amendment lying on the table. The Senator from New Mexico has one.

Mr. CHAVEZ. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

Mr. CORDON. Mr. President, if I properly understand the parliamentary situation, we are now considering the amendment on page 3, line 15.

The PRESIDENT pro tempore. That is correct.

Mr. CORDON. May I inquire of the Senator from New Mexico whether he desires to offer his amendment to change the dollar figure in line 23 of the committee amendment? I take it that such an amendment would be in order at this time.

Mr. CHAVEZ. I intend to offer my amendment H relating to page 3, line 23. I send it to the desk and ask that it be read.

The PRESIDENT pro tempore. The clerk will state the amendment offered by the Senator from New Mexico to the amendment of the committee.

The LEGISLATIVE CLERK. On page 3, line 23, it is proposed to strike out "\$20" and insert "\$200."

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New Mexico to the committee amendment.

Mr. AIKEN. Mr. President, whether we adopt this amendment or not, it would appear to me that the question is whether the purpose of the bill is to provide agricultural labor for the farmers so as to make it easier for them to produce and make a good profit, or whether we intend the bill to be a measure to aid the country in producing more food and fiber. If it is the latter, as I suppose it to be, we should make labor available to whatever section of the country needs it. I fear that if the amendment offered by the Senator from New Mexico were adopted farmers far away from the Mexican border would not get labor, because, very obviously, a farmer who had a crop of fruit to pick would not want to pay a transportation expense of \$200 to and from the port of entry. So, if the purpose of the bill is to aid in the production and harvesting of crops, we should make the labor available in whatever areas of the country it might be needed.

The senior Senator from Oregon has an amendment which would cover that point.

I am afraid that if we adopted a requirement that the farmer had to pay up to \$200, unless that were the average cost for the whole country we would find most of the labor within a couple of hundred miles of the Rio Grande and the Mexican border, and Minnesota, Washington, and Oregon would find themselves quite short. I hope the Senator from New Mexico will explain why his amendment would provide labor at a cheaper cost in various States other than those near the Mexican border.

Mr. CHAVEZ. Mr. President, I have been working in this body for many years with the Senator from Vermont, and I have yet to find him wrong. He might reach an incorrect conclusion. I tried to state what I had in mind, and to make myself understood, in connection with the amendment which I have offered, fully agreeing with the remarks of the Senator from Vermont that all farmers should be helped. I have that in mind, and I want to accomplish that purpose, either by what I think might be the best way of doing it, through my amendment, or possibly by accepting the amendment of the Senator from Oregon. I have no pride of authorship. I want to carry out the idea that all farmers in the United States should be helped. Whether by my amendment or by some other amendment, I want to reach that result.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. CORDON. I am quite sure the Senator from New Mexico has exactly the same idea in mind that others of us have. I am fearful, however, in this instance, that he is in error in seeking

to add this amendment to the bill. I ask him to go back to the beginning of section 502 and notice the first sentence to which the several subparagraphs refer. I read:

Sec. 502. No workers shall be made available under this title to any employer unless such employer enters into an agreement with the United States—

(1) to indemnify the United States against loss by reason of its guaranty of such employer's contracts;

(2) to reimburse the United States for essential expenses, not including salaries or expenses of regular department or agency personnel, incurred by it for the transportation and subsistence of workers under this title in amounts not to exceed \$20 per worker.

According to the Senator's amendment and according to the committee amendment, the change, I believe, would result in an obligation on each employer up to \$200 for all expenses connected with the transportation of each worker. That would be an obligation which each employer would have to undertake.

Mr. CHAVEZ. Yes.

Mr. CORDON. Would not the Senator then agree that this amendment would simply guarantee that the inequity which the Senator has indicated he feels should not exist, must exist?

Mr. CHAVEZ. It must exist. At least it would put the employer on some kind of parity with the man who pays only \$20, so far as getting labor is concerned. At least if he was willing to pay that much to get the labor, he would not be handicapped.

Mr. ELLENDER. I should like to point out to the Senator from New Mexico that the \$20 provision in the bill relates to the payment for transportation and subsistence within Mexico. I know the Senator wants to be realistic. The highest figure that such a cost could reach would average around \$35 a person. Now the Senator wants to make it \$200, which is about six times what the highest average cost could be.

Mr. CORDON. I hope that after careful consideration the Senator from New Mexico will withdraw the amendment. I do not believe it carries out his intention.

Mr. ELLENDER. The provision applies to Mexico.

Mr. CHAVEZ. I do not know about that. If that is what it means, very well, but I do not interpret it that way. I do not know of anyone who would be willing to spend \$20 for food for this type of labor.

Mr. ELLENDER. The \$20 is intended to reimburse the United States Government for the cost of transportation from centers within Mexico to centers within the continental limits of the United States near the border. That is what it would result in, and nothing else.

Mr. CHAVEZ. The item came under discussion during the Senate hearings. A statement was made by Mr. Ernest Falk, manager of the Northwest Horticultural Council, and representing the Northwest Agricultural Labor Association at Yakima, Wash. Perhaps some of the Senators from the Northwest know Mr. Falk. Mr. Magleby, represent-

ing the Northwest Agricultural Labor Association, of Walla Walla, Wash., also testified.

Mr. Falk before the committee made this statement which appears at page 83 of the hearings:

Mr. FALK. And we would assure a constant complete utilization of the force. It contemplates that we would pay the expense of transporting them from these various areas when they are once brought to the Northwest.

The CHAIRMAN. To a given place?

Mr. FALK. To a reception center, and we would take it on from there.

The CHAIRMAN. And you would expect someone else, that is, probably the Government, to pay for the transportation from the border to this center wherever it is fixed?

Mr. FALK. We would very much like to have that. In our statement we do make an additional proposal.

The CHAIRMAN. All right, proceed.

This is the significant part of his testimony:

Mr. FALK. If we were required to pick these workers up at reception centers at, or near, the Mexican border it would cost us approximately \$50 each way or \$100 per man to get them to and from the border, then these moves within the area already referred to, will cost at least \$30 per man for transportation and subsistence. Then, Senate bill 984 provides that we reimburse the Government for recruiting expense up to \$20 per man.

Mr. ELLENDER. The Senator from New Mexico would make the figure \$200 a man.

Mr. CHAVEZ. Let me see what was testified. I do not want to starve the laborer.

Mr. ELLENDER. The laborer would not get the money.

Mr. CHAVEZ. The testimony continues:

This would mean that under such a program it would cost us a total of \$150 a man in addition to camp costs and food and wage compliance.

Mr. Magleby of the Walla Walla pea growers tells me that in 1948 each of the Mexican nationals they brought in cost them \$2.72 per man workday in addition to their wages. They used 540 Mexican nationals.

He then goes into further statistics. I personally prefer the amendment offered by the Senator from Oregon.

Mr. CORDON. I am hopeful that the Senator from New Mexico will withdraw his amendment. He could ask unanimous consent later to reoffer his amendment, even after the committee amendment was adopted. I believe it would be helpful to do so.

Mr. CHAVEZ. In order to expedite the passing of the bill, which I know is important, and with the understanding that, if necessary, I may present the pending amendment at a later time, but also with the hope that the amendment of the Senator from Oregon may be adopted, I withdraw my amendment.

The PRESIDENT pro tempore. The Senator from New Mexico withdraws his amendment. The question is on agreeing to the committee amendment at page 3, line 15.

The amendment was agreed to.

The PRESIDENT pro tempore. The clerk will state the next committee amendment.

The LEGISLATIVE CLERK. On page 4, line 2, after "501 (5)", it is proposed to strike out the comma and "an amount determined by the Secretary of Labor to be equivalent to the cost of returning such worker" and insert "and is apprehended within the United States, an amount determined by the Secretary of Labor to be equivalent to the normal cost to the employer of returning other workers."

Mr. O'MAHONEY. Mr. President, I have a copy of the amendment which the Senator from New Mexico intends to offer to section 501. May I ask the Senator a question with reference to the amendment?

Mr. CHAVEZ. I shall be delighted to answer it, if I can.

Mr. O'MAHONEY. I observe that it reads as follows:

On page 1, beginning with line 6, it is proposed to strike out through line 3 on page 2 and insert the following:

"Sec. 501. For the purpose of assisting in such production of agricultural commodities and products as the Secretary of Agriculture deems necessary, by supplying domestic agricultural workers (including those of the continental United States, Hawaii, Puerto Rico, and the Virgin Islands) and, if a sufficient number of such workers cannot be supplied, by supplying (pursuant to formal agreements between the United States and foreign countries within the Western Hemisphere) agricultural workers recruited in such foreign countries, the Secretary of Labor is authorized."

It seems to me that it would be rather vague, and difficult of enforcement, unless the Senator should amend it so as to provide that there shall be a finding by the Secretary of Labor.

Mr. CHAVEZ. It was intended so to provide. One of the objections to the pending measure is that any certification made with reference to labor—in this instance, alien labor—shall be made by local agencies and States.

The purpose of the amendment is to protect domestic labor by making it a national proposition. I should be very glad, because it is what I had in mind, to adopt language providing that the proper agency, which is the Department of Labor, should make certification as to the adequacy or inadequacy of the supply of labor.

Mr. O'MAHONEY. Inasmuch as the first sentence—

Mr. CHAVEZ. I may say to the Senator that I have another amendment which would take care of what the Senator has in mind. It is amendment D. Will the Senator turn to the bill at page 4?

Mr. O'MAHONEY. The Senator does not intend to offer the amendment, does he?

Mr. CHAVEZ. Yes; I intend to offer it. I thought it would take care of the situation. However, I think the suggestion of the Senator from Wyoming is a good one. I believe that in the amendment to which the Senator refers there should be inserted language specifying that the Secretary of Labor, or an agency which Congress may designate, shall make the certification of adequacy.

Mr. O'MAHONEY. I should like to make an additional suggestion. Inas-

much as the first sentence of the Senator's amendment refers to the Secretary of Agriculture and authorizes assistance in the production of agricultural commodities and products, as the Secretary of Agriculture deems necessary, it might possibly be the Secretary of Agriculture who should make the finding.

Mr. CHAVEZ. Possibly so. The only reason the Secretary of Labor was suggested was that some discussion had been had on the floor, and it was felt that inasmuch as this bill referred to labor as such, farm labor being the type of labor considered, it should come under the jurisdiction of the Department of Labor.

Mr. O'MAHONEY. I thank the Senator. My only purpose was to call to his attention what I deemed to be an omission.

Mr. CHAVEZ. Where would the Senator suggest that the new language be inserted, and what would be the new language?

Mr. O'MAHONEY. I suggest that in line 6, after the word "if" the words "the Secretary shall find that" be inserted.

Mr. CHAVEZ. We are referring, of course, to the Secretary of Agriculture.

Mr. O'MAHONEY. I should think so. Perhaps the Senator might want to make it the Secretary of Labor.

Mr. ELLENDER. Mr. President, I point out to the distinguished Senator that the Secretary of Labor already has the power to do this.

Mr. O'MAHONEY. Then it should be the Secretary of Labor.

Mr. AIKEN. Mr. President, I was about to ask for a little more information along the lines of the amendment which the Senator from Wyoming suggested.

Mr. CHAVEZ. Mr. President, I wonder if we can get through with the committee amendments.

Mr. ELLENDER. I think that is what we should do, Mr. President.

Mr. CHAVEZ. I thank the Senator from Wyoming for clarifying the situation.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. WHERRY. What is the question before the Senate?

The PRESIDENT pro tempore. The question before the Senate is on agreeing to the committee amendment on page 4, beginning in line 2.

Mr. WHERRY. Is there no other amendment before the Senate? What amendment is being discussed?

Mr. ELLENDER. Mr. President, I understood that the distinguished Senator from Wyoming was about to leave the Chamber, and that he wished to make a suggestion.

Mr. WHERRY. Was he discussing some amendment which may later be proposed?

Mr. O'MAHONEY. Mr. President, for the information of the Senator from Nebraska, because it was necessary for me to leave the Chamber I merely addressed an inquiry to the Senator from New Mexico with respect to an amendment which he proposes to offer later, and made a suggestion with respect to it.

Mr. WHERRY. I thank the Senator.

Mr. CHAVEZ. Mr. President, I should like to have my good friend from Wyoming, who knows how to frame correct legal language in legislation, make a notation so that when I am ready to offer my amendment I may have the benefit of his suggestion.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment on page 4, beginning in line 2.

Mr. CORDON. Mr. President, I should like to inquire of the Senator from New Mexico whether he expects to offer his substitute. I do not wish to suggest that it be offered, but I happen to have had prepared several copies of the bill showing the amendments intended to be offered by several Senators. On my copy of the bill, with the proposed amendment of the Senator from New Mexico, I have indicated a proposed amendment of section 503. I simply call it to his attention in case he desires to offer it.

Mr. ELLENDER. Mr. President, there are no committee amendments to section 503. We are now dealing with section 502.

Mr. AIKEN. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. AIKEN. As I understand, the only amendments now in order are committee amendments or amendments to committee amendments.

The PRESIDENT pro tempore. The Senator is correct.

The question is on agreeing to the committee amendment on page 4, beginning in line 2.

The amendment was agreed to.

The PRESIDENT pro tempore. The clerk will state the next committee amendment.

The next amendment was, on page 4, at the beginning of line 23, to strike out "shall" and insert "may, pursuant to arrangements between the United States and the Republic of Mexico."

The amendment was agreed to.

The next amendment was, on page 6, line 10, after the word "from", to strike out "foreign countries within the Western Hemisphere" and insert "the Republic of Mexico."

The amendment was agreed to.

The next amendment was, on page 6, line 12, to change the section number from "508" to "507."

The amendment was agreed to.

The next amendment was, on page 6, line 17, after the word "amended", to strike out "horticultural employment, cotton ginning and compression, crushing of oilseeds, and the packing, canning, freezing, drying, or other processing of perishable or seasonable agricultural products."

The amendment was agreed to.

The next amendment was, on page 6, line 21, after the word "employer", to strike out "includes associations or other groups of employers" and insert "shall include an association, or other group, of employers, but only if (A) those of its members for whom workers are being obtained are bound, in the event of its default, to carry out the obligations undertaken by it pursuant to section 502, or (B) the Secretary determines that

such individual liability is not necessary to assure performance of such obligations."

The amendment was agreed to.

The next amendment was, on page 7, after line 4, to insert a new section, as follows:

SEC. 508. Nothing in this act shall be construed as limiting the authority of the Attorney General, pursuant to the general immigration laws, to permit the importation of aliens of any nationality for agricultural employment as defined in section 507, or to permit any such alien who entered the United States legally to remain for the purpose of engaging in such agricultural employment under such conditions and for such time as he, the Attorney General shall specify.

The amendment was agreed to.

The PRESIDENT pro tempore. That completes the committee amendments. The bill is open to further amendment.

Mr. CHAVEZ. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from New Mexico will be stated.

The LEGISLATIVE CLERK. On page 1, beginning with line 6, it is proposed to strike out through line 3 on page 2 and insert the following:

SEC. 501. For the purpose of assisting in such production of agricultural commodities and products as the Secretary of Agriculture deems necessary, by supplying domestic agricultural workers (including those of the continental United States, Hawaii, Puerto Rico, and the Virgin Islands) and, if a sufficient number of such workers cannot be supplied, by supplying (pursuant to formal agreements between the United States and foreign countries within the Western Hemisphere) agricultural workers recruited in such foreign countries, the Secretary of Labor is authorized.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. CHAVEZ].

Mr. CHAVEZ. Mr. President, I desire to make a very brief statement as to this amendment. It is simple. Either we are willing to treat American labor on an equal basis with foreign labor, or we are not. I wish to take my stand and to make it clear that in any labor legislation we should first concern ourselves with the welfare of our own United States citizens before considering employment opportunities for anyone else.

As chairman of the Subcommittee on Labor Appropriations of the Appropriations Committee, I have come to the conclusion that we have not made a reasonable attempt to recruit domestic farm workers or to pay them decent wages. I am sure that if a national farm labor recruitment program were to be undertaken we would certainly have a sufficient labor force to meet the goals of our agricultural production.

I have been a staunch supporter of fair and reasonable prices for the farmer. Likewise I have fought for fair and reasonable wages for the American worker. The producer should have a reasonable profit. In that respect I am a capitalist. The worker should realize a reasonable income because he is also a capitalist. In our economy the worker and the farmer are dependent upon each other. I feel that all American workers,

regardless of whether they are office workers, miners, oil drillers, railroad workers, or Government employees, should have decent standards of living. I cannot allow myself to think that because an individual decides to follow agricultural pursuits he should be regarded as an inferior type of worker. To me the manual laborer is just as important in our society as the white-collar worker.

Given decent wages and conditions, hundreds of thousands of American farm workers would be available. Today there are available in Puerto Rico 50,000 United States farm workers who are good enough to become cannon fodder and to be slaughtered on foreign battlefields; good enough to have their legs amputated and to be at Walter Reed Hospital; good enough to die in Korea; to fight with the marines on Guadalcanal and on Okinawa, but discriminated against by legislation which would import foreign labor to their detriment. I say such discrimination is un-American.

I want Senators to listen to the argument and take sides on the question, so that noses may be counted. I say we should not discriminate against our own people. I prefer an American laborer to any foreign laborer, I care not whence he comes. If an American laborer is available, and it is not desired to give him an opportunity for employment, I want Senators to say so by their votes this afternoon. If they prefer foreign laborers to American laborers, one of whom might even today be receiving a decoration for heroism in Korea, very well, let them say so.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. WHERRY. If the amendment should be adopted and the Secretary should find that there is a sufficient number of workers in Hawaii or Puerto Rico, let us say, what would be the mechanics by which a Nebraska farmer could get a laborer to Nebraska to work on a beet farm there?

Mr. CHAVEZ. We have always been extremely resourceful, even in connection with our labor, and I am sure the Secretary of Labor would find some method by which to get such a laborer to Nebraska or elsewhere where his services are needed.

Mr. WHERRY. Would such a laborer have the same opportunity of transportation being furnished him that is extended now to Mexicans under the contracts which are made with them? I am speaking simply of the mechanics.

Mr. CHAVEZ. It is my intention that he should have it. He should have the same opportunity. I think American workmen should have a priority. Therein lies the difference between the proponents of the bill and myself.

Mr. WHERRY. I hope the Senator will not misunderstand me.

Mr. CHAVEZ. No; I do not.

Mr. WHERRY. I know that in my State laborers are needed in the sugar-beet fields. If the amendment should be adopted, and the Secretary should make a finding that there was plenty of labor in Hawaii, how could the farmer in Nebraska get into contact with the

laborer in Hawaii and get him to a Nebraska farm to work in the sugar-beet field?

Mr. CHAVEZ. I assure the Senator from Nebraska, or the Senators from any other States, that if work is made available for American laborers, they will get to the location of the employment somehow, provided starvation wages are not paid. I know no one wants starvation wages to be paid.

Mr. WHERRY. As in the case of any other laborer, he would have to make his own contract.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. CHAVEZ. Let me go a little further. What is wrong with the amendment?

Mr. WHERRY. I did not say there was anything wrong with it.

Mr. CHAVEZ. I am not accusing the Senator of having said there was.

Mr. WHERRY. I am trying to obtain information with respect to it.

Mr. CHAVEZ. What is wrong with it? If we were to say to the Secretary of Agriculture, "Look into the matter of farm labor; we need it," and he found that American labor could not be obtained but that he could get farm labor from Mexico, the provisions of the legislative bill by the Senator from Louisiana would prevail. All I am asking is that we take care of our own American labor, if there is any way to do it. If we can make American labor available, very well. I am against legislation that picks out one country from which to secure labor which might be subjected to exploitation. I do not like "one country legislation," except for our own country, and in that case I want it to apply to the entire country.

I now yield to the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, I wish to ask the Senator from New Mexico whether there is now any restriction on citizens of Hawaii coming to this country, or on citizens of Puerto Rico from coming to this country now. My understanding is that they can come in and go out freely.

Mr. CHAVEZ. They certainly can.

Mr. HICKENLOOPER. So what is the use of the amendment that applies to Puerto Rico and Hawaii? There is no restraint against citizens of Puerto Rico or Hawaii coming into continental United States now.

Mr. CHAVEZ. There is no restraint at all, except that involved in their ability to pay their way. There is no restraint in the matter of buying mink coats, but many people do not have the necessary \$8,000. There is no restraint in the matter of boarding an airplane at San Juan, P. R., or Ponce, and coming to the United States, but many people do not have sufficient money to take that journey.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. HICKENLOOPER. As I understood the Senator from New Mexico a moment ago—and if I am in error I want to be corrected—he said in answer to the Senator from Nebraska, who asked him how the Nebraska farmer was going to get the imported labor to work for him in

his beet fields, that if work was available there was no need to worry, that the workers would find their own way to reach it. What is the need of legislation, if they can come here without restraint, if they can find their own way here? In that case there is no need for the proposed legislation.

Mr. CHAVEZ. I think many of them can, but many of them probably cannot.

Mr. HICKENLOOPER. That is, the Senator is proposing to pay their way from Hawaii to the United States?

Mr. CHAVEZ. I would pay the expenses of a Puerto Rican or a Hawaiian before I would pay the expenses of one of His Majesty's subjects from Jamaica, yes. If necessary, I would do so. We did so during the war. What is wrong with doing so now?

Mr. HICKENLOOPER. Without the adoption of the amendment an employer could pay the expenses of a laborer from Hawaii to the United States or from Puerto Rico to the United States. He does not need the amendment of the Senator from New Mexico to do that.

Mr. CHAVEZ. Oh, yes, he does.

Mr. HICKENLOOPER. That is the point I am trying to have cleared up.

Mr. CHAVEZ. The point I wish to make is that the Government should be made conscious of the fact that there is American labor available, and that it should be utilized, and the Government should be responsible for such utilization. That is why the amendment is necessary.

Mr. HICKENLOOPER. Does the Senator now propose to subsidize these workers by paying their transportation?

Mr. CHAVEZ. The Senator from New Mexico contends that there is as much need for the amendment to the proposed legislation as there is for the legislation itself. If the Senator from Iowa is correct, and laborers can come in from Hawaii and Puerto Rico, and if they are available for farm work here, and the farmer from Iowa is willing to bring them in, then why pass legislation providing for the importing of thousands and thousands of foreign laborers?

Mr. HICKENLOOPER. My point is that the proposed legislation is not needed for the people of Puerto Rico and Hawaii. So far as the Mexican situation is concerned, an international question of law is involved. The immigration laws are involved. We must authorize entry under proper restrictions, otherwise we will have the wetback problem again, and illegal entrance and complete breakdown of the immigration laws. As I understand, the only necessity for the bill is that there be proper compliance with our immigration laws, under certain control conditions, so that persons will come into this country legally and will leave the country legally. That is the only reason for the bill. We do not need it for Hawaii and Puerto Rico.

Mr. CHAVEZ. I know it is not needed for Hawaii and Puerto Rico, but I still insist that even in dealing with international matters some consideration should be given to our own citizens who may need work.

Mr. HICKENLOOPER. The employer can go to Hawaii and secure laborers.

Mr. CHAVEZ. Oh, yes, certainly he can; but he will not.

Mr. HICKENLOOPER. Does the Senator intend that the Government shall subsidize the workers by paying their transportation from Hawaii to the United States? Does the Senator intend that the Government shall pay the expenses?

Mr. CHAVEZ. If it is necessary to subsidize the worker by paying his transportation, yes, and, as proposed in the bill, even to the extent of \$20.

Mr. HICKENLOOPER. The theory of the bill is that there shall be no Government subsidy; that employers shall pay the whole expense.

Mr. CHAVEZ. Let me say to the Senator that under the theory of the bill there will be a breaking down of American labor. Under the theory of the bill there will be slave labor. We have gotten away from such a thing in New Mexico and Louisiana long, long ago, and it is not coming back.

Mr. WHERRY. Mr. President, will the Senator yield for one more question?

Mr. CHAVEZ. Let me make a further point. In our international relations we should treat all foreign countries alike. Our international relations should be as the phrase itself implies—international relations. We should not show preference to any country by leaving it out of the effects of the proposed legislation. It is not right to reach formal agreements with only one country, establishing standards and conditions for the importation of its agricultural workers. In this instance the only reason why one country was picked out was because the available labor in that country was hungry and poor, because need existed there because in that country there was a class of labor which could be employed at starvation wages. However, eventually the use of that labor at such low wages and under such bad living conditions will interfere completely with our economic system, will break down the thing we love to brag about, the American standards, will establish different standards and conditions for imported agricultural workers, and will leave the door wide open for other countries to send their surplus labor into the United States. Therefore, all importations of foreign labor should be made under formal agreements, and then there will be no danger of having international tensions later on.

Last, but not least, I should like to call attention to the fact that in my home State, more American Indians could be recruited if decent working conditions and reasonable wages were made available to them. There are approximately 52,000 Navajos in the States of New Mexico and Arizona. We have perhaps 36,000 Pueblo Indians there. We also have the Mescaleros, the Zunis, and the Apaches. Yesterday I inserted in the Record telegrams from the governors of various of the Pueblos who are opposed to the original Ellender bill.

Mr. President, it is not easy for me to oppose the Ellender bill. It would have been much easier for me to keep quiet and thus satisfy a few greedy people in my home State. But I refuse to do

that. When many people of my State have to leave New Mexico in order to find work in the sugar-beet fields of Colorado or Wyoming or to herd sheep in Montana, simply because a few greedy, selfish slave drivers would bring in to supplant them at their homes, Mexican labor that is starving to death, I will not agree that that should be done. I would rather lose my seat in the Senate than agree to have that done.

Mr. President, the issue is clear. Let Senators vote on it one way or the other, and let their stand on it be clearly understood. If Senators prefer Argentine beef, to American beef, let them vote for cheap foreign labor, as provided in this bill. If Senators favor the importation of the foot-and-mouth disease from Mexico, when we have spent \$120,000,000 to keep that disease away from our borders, let them so vote, but likewise they should vote for the cancer bill, because it affects human beings and the basis of human life and the entire economic system of our country and the things that Lincoln stood for.

Senators who favor the appropriation of funds to enable the Department of Agriculture to eradicate the Mexican fruit fly, should not vote for this bill, because the effect of the bill on health conditions and on labor and on the economic life of our country will be more disastrous than all the damage which can be done by the Mexican fruit fly. Senators who wish to exterminate the foreign boll-weevil should help us exterminate a thing which is much more dangerous and can be much more disastrous. Let us not take advantage of human misery.

Mr. THYE. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. THYE. I have studied the amendment which has been offered by the Senator from New Mexico. It does not propose to amend the bill in the manner the Senator from New Mexico has just been stating it will. In other words, I cannot understand how his remarks and his charges have any connection at all with a vote against the amendment. I fail to understand how a Senator who votes against the amendment will be expressing opposition to labor opportunities and proper laboring conditions for American citizens. The remarks of the Senator from New Mexico are one thing, but his amendment is quite another.

Mr. CHAVEZ. I was stating my opinion. If the amendment does what the Senator from Minnesota says it does, he should have no objection to voting for the amendment.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. WHERRY. I should like to ask another question about the mechanics of the amendment. Let us say that the Secretary of Labor finds that there is in Hawaii a surplus of farm labor—to the extent, say, of 20,000 persons; and let us say that ample information is made available in Hawaii in regard to agricultural jobs which are available in the United States; but let us say that none of

the 20,000 surplus laborers in Hawaii wish to come to Nebraska to work, but, instead, wish to remain in Hawaii. Let us say that a similar condition is found to exist in Puerto Rico; in other words, despite the fact that those workers, if they come to this country to work, are offered regular American wages, the regular scale of wages, nevertheless they refuse to come. Perhaps I am stating a theoretical case which never will occur, but I am worried about the question of getting the needed labor in Nebraska.

Certainly our farmers are willing to pay the going wage for agricultural labor. I know of no one in Nebraska who is in favor of slave labor. Our people pay the going wage.

Let us say that the Secretary of Labor finds that a surplus of labor exists in Hawaii or in Puerto Rico, but let us assume that those surplus laborers do not take advantage of the opportunity to work in the United States. Will that mean that the amendment, if adopted, will not permit the Government or contractors to make negotiations on an international basis with Mexico to obtain Mexican labor?

Mr. CHAVEZ. No; the amendment means just the reverse. Under the conditions the Senator from Nebraska has outlined, if the surplus workers in Hawaii decide for their own reasons to remain in Hawaii and if the surplus workers in Puerto Rico decide for their own reasons to remain there, even under conditions which are much worse than the conditions under which they would work in the United States, then the Secretary of Labor will certify to that fact, and then contracts such as those the Senator from Nebraska has mentioned can be made, under the provisions of this amendment.

Mr. WHERRY. Mechanically it will be a rather difficult thing to do, will it not?

Mr. CHAVEZ. If the worker does not want to come to the United States, our farmers simply will be unable to have the benefit of his labor.

Mr. WHERRY. However, it would be difficult to have the survey made and to demonstrate the situation in regard to such a labor surplus. In other words, it would seem that that would be a rather difficult job for the Secretary of Labor to perform in the case of Hawaii.

Mr. CHAVEZ. I do not think it is a big job to protect American labor and American industry.

Mr. WHERRY. I am not quarreling about that at all; that is not the reason why I am asking the question.

On the other hand, if a contract is entered into with Mexico on an international basis, the Mexican labor will be brought to the border, and there will be proper distribution, for the Mexican authorities know how to contact those laborers. After all, they have been doing that for many years.

However, let us assume that under the provisions of this amendment, if it is agreed to, it is determined that we do not wish to contract any longer for such labor until we find whether there is a surplus of labor in Hawaii; and suppose we rely upon the Secretary of Labor to

make that determination. I wish to know whether, in making that determination, the length of time required to make it or the mechanics involved or any other factor in that connection will result in blocking negotiations with Mexico, if in the final analysis it is determined that there is a surplus of 20,000 laborers in Hawaii.

Mr. CHAVEZ. The amendment will not do that.

Mr. WHERRY. That is what I wish to know.

Mr. CHAVEZ. I am as anxious as is any other Senator that American farmers shall have the labor they need. All I am asking by the amendment is that we find out whether sufficient labor is already available. If it is not, then let us import it.

Mr. WHERRY. I am not troubled about the labor we have in the United States; I am referring to the labor that may be available in Puerto Rico or in Hawaii. If this amendment is adopted, we shall have to determine what the situation is in Puerto Rico and in Hawaii.

Mr. CHAVEZ. Yes.

Mr. WHERRY. The Secretary of Labor will have to make that finding and will have to certify as to that situation before we shall be entitled to contract for the importation of Mexican labor. If the Secretary of Labor finds there is a surplus of labor in Puerto Rico or Hawaii, we shall be unable to make such contracts for the importation of Mexican labor.

Mr. CHAVEZ. Very well. General Hershey sends out his agents, and they have no difficulty whatever in saying, "Come here, Manuel; we are going to ship you to Fort Benning, and later on you will go to Korea." In view of that system, what is wrong with having the Secretary of Labor, for whose Department we appropriate millions of dollars, operate in a similar way in serving an even better purpose?

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. AIKEN. I think the Senator from New Mexico has a very laudable motive and I believe that we should employ all available American farm labor before we import any. However, I recall that each fall a few thousand Canadians come into Maine to help harvest the potato crop; they come into Maine year after year for that purpose. They are experts at that job. I wonder whether, under the provisions of the Senator's amendment, if it is adopted, those Canadians could be admitted for that purpose, so long as there were Puerto Ricans or Hawaiians who were willing to go to Maine to help harvest potatoes. Furthermore, would not the amendment call for a formal agreement between the United States and Canada in that connection?

Mr. CHAVEZ. One of my objections to the bill is just that. I wish the agreement and the law might affect Canada as well as Mexico. If it did, I think possibly we would have a little happier situation and possibly a somewhat healthier one, because Canadians could not be treated the way the poor Mexican

is treated. He is up against it, I may tell the Senator.

Mr. AIKEN. That is correct. The Canadian receives the prevailing wage, under suitable living conditions.

Mr. CHAVEZ. He enjoys better living conditions than the Mexican.

Mr. AIKEN. There is no question about that. But I would still hate to have them precluded. They come for a month's time only.

Mr. CHAVEZ. I do not want them.

Mr. AIKEN. We have to obtain permission. In New England, it is necessary to obtain the approval of the Secretary of Labor and of the Immigration Service.

Mr. CHAVEZ. I am willing to go even further than the Senator. It happens to be the result of provisions of the bill that Mexico only is affected. I am trying to take care of American citizens, but I would join with the Senator in making the terms of the bill broader, so that they would include Canada.

Mr. ELLENDER. I may point out to the Senator that his amendment includes Canada.

Mr. CHAVEZ. Yes, it includes the Western Hemisphere.

Mr. AIKEN. The Western Hemisphere includes Canada. I was disturbed about the Canadians.

Mr. CHAVEZ. Mr. President, addressing myself briefly to another line of argument, I may say that about 3 weeks ago, the United States, which is leading the world in an effort to bring about democracy, which sermonizes to the world about democracy and fair play and decent living conditions, and this and that, which is able to appropriate billions of dollars to help other countries, was represented at a meeting here with the so-called Latin-American countries, for the purpose of endeavoring to reach an agreement on military assistance. In view of the present world situation, I agreed with the purposes of that conference, and with what was being attempted. But I wish the time might come when we would have agreements whose purpose would be the uplifting of mankind instead of its destruction. If our country can make an agreement with the Latin-American countries relative to matters which could mean the destruction of human life, why is it necessary that, in dealing with labor, we deal with one nation only? Why? The answer is easy. It is found in the necessities of the human beings across the border. It is necessary for them to eat. It is the old, old story of pelf and greed, which seek to exploit the needy. I repeat, I love the standards of living of the United States. I wish to continue to enjoy them. They are grand. We are endeavoring to carry out the basic concepts of those who dared to write the words, "We, the people of the United States." We are endeavoring to effectuate all the noble purposes of those who signed the Declaration of Independence, of those who, like Thomas Jefferson, dared to think and to believe that all men were created equal, of those who believed in the fundamental tenets of Andrew Jackson, of those who would put into effect the philosophy of Jefferson, of those who believed in the deeds and

the words of the humble and meek man who was murdered at Ford's Theater in Washington, a man who did away with human slavery—in a word, those who believe in carrying out the noble purposes of those who are apostles of real Americanism.

Mr. President, I leave the subject there. No motives will be questioned. I am making a statement of my opinion and of how I feel about the matter. I still believe in majority rule, I still believe in this body's deciding for itself. My purpose in discussing the bill and in discussing the amendment is to contribute my opinion for what it may be worth in assisting other Senators finally to come to a definite conclusion as to what they should do. I thank the Senate.

Mr. ELLENDER. Mr. President, a good way to scuttle this bill would be to adopt the pending amendment. To begin with, the Secretary of Labor is now authorized to recruit domestic workers. Under the law he is in a position to recruit Hawaiians, Puerto Ricans, and those who live in the Virgin Islands. When the committee considered this bill, we intended to cover all of the countries of the Western Hemisphere, including Canada, Hawaii, and the islands off the eastern coast of our country. During the hearings it was brought out that under the existing law there is a procedure which has been in effect for quite some time in regard to recruiting workers from offshore, such as the residents of the Bahamas and Jamaica, as well as Canadians. The method pursued as to those islands was that the United States Employment Service should certify that within a certain period there was a scarcity of domestic farm labor. After the certification was made, employers could then go to the islands to make individual contracts with the islanders residing in the Bahamas and in Jamaica, and could do the same with Canadians. The plan has worked very well. Employers furnish subsistence and pay the cost of transporting workers from their places of residence to the United States. In most cases they are sent back at their own expense. The contract is signed and executed by the employer under existing laws. There can be no necessity for disturbing that method of dealing with these foreign workers. As I have said on many occasions, it is necessary to enact the pending measure, because Mexico has refused to enter into agreements similar to those which can be entered into with Canada, Jamaica, the Bahamas, and other countries of the Western Hemisphere.

In other words, with Mexico refusing to continue the program under the law as it now exists, our employers will be precluded after June 30 from contracting for workers in Mexico as has heretofore been the case; therefore, the necessity for enacting this legislation without delay.

My distinguished friend from New Mexico has been pounding along with the argument that domestic workers should be taken care of first. I agree to that. The whole Committee on Agriculture and Forestry agreed to that, and

we have placed in the bill a provision, under section 503, which states that—

No workers recruited under this title shall be available for employment in any area unless the Director of State Employment Security for such area has determined and certified that (1) sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed, and (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed.

In other words, it is incumbent on the Administrator first to see to it that there are no domestic laborers in the area, which would include Indians and other Americans, who are able, willing, and qualified to do the work. If he should find there is not sufficient domestic labor, then and only in that event the certification can be made which would permit the importation of Mexican workers. In addition to that, Mr. President, we have heard a great deal about slave wages. But the bill provides that "the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed."

That language simply means that the employees who come from Mexico must be paid at least the prevailing wage as is paid to domestic workers who are employed locally.

Mr. President, this bill authorizes the signing of contracts between American employers and Mexican workers when the latter are brought from within Mexico to the United States. I have read to the Senate on several occasions the provisions of the agreement. Among the provisions which I am sure will be incorporated in future agreements will be the one which is now in the present individual work contract as to the payment of wages, as follows:

The employer shall pay the worker the prevailing wage rate paid to domestic agricultural workers for similar work and in the manner paid within the area of employment, or the rate specified on the last page of this contract, whichever is the greater.

With reference to the latter clause on wages, specified on the last page of the contract, the wages are agreed to in advance, and the minimum wage rate is determined by employers in the locality, under the auspices of the United States Employment Service, and in all cases the actual wage is written into the contract so that the worker knows what he will receive before he leaves the place on the border.

The bill further provides that it is up to the employee as to whom he works for and what kind of work he will engage in.

As I pointed out in the earlier part of my remarks last week—and I may say this is the fifth day we have been considering this bill—there was a provision in the old contract which forced the employer to furnish a bond for the return of the Mexican laborers he employed. That was not desired by the employer, for the simple reason that there was no way by which the employer could make the worker remain on the farm. If the worker left, the employer

could be made not only to forfeit the bond, but also to reimburse the Government for the entire cost of returning the employee to Mexico. It was shown that in many cases where the bond was forfeited, employees had already returned to Mexico, but it was not done in accordance with the Immigration Service regulations. They wanted certification that he had returned, and they wanted evidence of the fact, but in many cases, although letters were presented to show that the employee had returned, the bonds were forfeited nonetheless.

Under the terms of this bill, the United States Government, acting through the Labor Department, the Immigration Service, and the health authorities, will make selection of Mexican employees who are eligible to work in the United States. Those employees are brought to the border and there a contract is entered into voluntarily between the employer and the employees, with the understanding that the Government will guarantee to each worker the performance of the contract insofar as wages and transportation are concerned. That is why it is necessary that authority be granted for an agency of Government to enter into this kind of a program.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CHAVEZ. As I understand the Senator, the function of the Department of Labor is to go to Mexico and recruit employees.

Mr. ELLENDER. Yes.

Mr. CHAVEZ. Who makes the contract?

Mr. ELLENDER. The workers and the employers. I do not know that my good friend heard what I said, but before certification can be made, which would be followed by recruitment, two things must be found, namely, that sufficient domestic workers who are able, willing, and qualified, are not available.

Mr. CHAVEZ. Qualified to labor?

Mr. ELLENDER. Yes, that they are not available at the place and time needed to perform the work requested; second, that the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed.

Mr. CHAVEZ. What is the period of time as to domestic wages?

Mr. ELLENDER. Mr. President, under the bill we are now considering, the certification that domestic workers are not available will be made by the director of State employment security. But I desire to state to my good friend that there are two or three amendments which will be presented to change that provision by designating the Secretary of Labor to make the certification, so that certification can be made on a national level.

Mr. CHAVEZ. Will the Senator pardon me for a moment on that point?

Mr. ELLENDER. Yes.

Mr. CHAVEZ. Is the chairman of the committee willing to accept such an amendment?

Mr. ELLENDER. I shall leave that to the Senate. I am directed by the com-

mittee to present its findings, but I will say to my good friend that I shall urge no serious objection. On the contrary, it is my purpose to present to the Senate a press release issued in Mexico by the Mexican Government to the effect that unless a provision of that kind is in the bill, the Mexican Government will not enter into any contracts. In other words, the Mexican Government is desirous that certification of need in this country be established on a national basis rather than on a State basis. The press release reads in part:

3. Mexico will not agree to State government agencies assuming any responsibility in connection with the operation of the bracero program.

Mr. CHAVEZ. I am glad the Senator from Louisiana thinks that some consideration should be given to the state of mind of the Mexican Government. I certainly would recommend for his consideration, before final determination, some of the statements made by American citizens on the same subject.

Mr. ELLENDER. Further to answer the question of my good friend, as I have indicated, two things would have to be determined on a national level should this amendment prevail, as it possibly will.

Mr. CHAVEZ. I wish the Senator would say "Yes."

Mr. WHERRY. Which amendment is going to prevail?

Mr. ELLENDER. An amendment is pending to place certification on a national rather than on a State level. I am sure it would undercut many of the arguments which my good friend has been making for the past few days.

Mr. CHAVEZ. I think it would improve the bill.

Mr. ELLENDER. I am sure the Senator knew about it right along. He was aware of the fact that the amendments were pending, and he knew my attitude toward them. I pointed out that before any Mexican labor could be recruited, if the amendment pending with reference to placing the certification on a national basis is adopted, the Secretary of Labor would be bound to determine whether or not there was sufficient domestic labor available to do the work. If he found that there was sufficient domestic labor available Mexican labor could not be recruited. On the other hand, if he found that there was not a sufficient amount of domestic labor available, he would have to take the further step of finding that the employment of such foreign workers would not adversely affect the wages and working conditions of domestic agricultural workers similarly employed.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. ELLENDER. Yes.

Mr. CHAVEZ. When we have records and statistics showing that local labor in the States of Texas and New Mexico is paid \$1.75 a day, and Mexican labor is paid \$3 a day, what can we expect?

Mr. ELLENDER. My good friend refers to wetbacks. To my knowledge, he has read into the Record, at least four times, a telegram from some veterans in Corpus Christi.

Mr. CHAVEZ. From a Catholic archbishop.

Mr. ELLENDER. No; from some veterans.

Mr. CHAVEZ. Yes.

Mr. ELLENDER. If the Senator will look at the telegram again he will see that the veterans discuss wetbacks. It is true that the situation on the Mexican border at times is very unsatisfactory. The so-called wetbacks swim across the Rio Grande. They know they are violating the law. They want to work for an American employer. In many instances the employer hides them out and works them secretly, because he knows the wetback is illegally in the country. Therefore an employee working under such conditions would be willing to work for a bare subsistence.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. ELLENDER. Yes.

Mr. CHAVEZ. If the Senator were as well acquainted with conditions around the Rio Grande as are the junior Senator from New Mexico and the senior Senator from New Mexico he would not say that the wetbacks swim across the river. Sometimes there is not sufficient water in the river to cover their feet. They simply walk across.

Mr. ELLENDER. Would they then be called drybacks, instead of wetbacks?

Mr. CHAVEZ. Drybacks and wetbacks.

Mr. ELLENDER. I repeat that the amendment which is now pending is absolutely unnecessary, in that the Department of Labor now has the authority to recruit domestic labor.

Mr. CHAVEZ. Mr. President, may I ask a question?

Mr. ELLENDER. Yes.

Mr. CHAVEZ. I have inquired along that line of the Labor Department, particularly its Employment Service. I may say that I have been closer to the problem of labor and what it is supposed to represent than the average member of the Committee on Agriculture and Forestry. I have been very close to it, I may say to the Senator from Louisiana. I have helped appropriate millions of dollars which they get for employment. When an inquiry was made of Mr. Goodwin, of the Employment Service, as to what they had done, he answered that they had done very little with reference to finding out about American labor. What does the Senator think we can expect from the Department under such conditions?

Mr. ELLENDER. I am sorry that the distinguished Senator has so little respect for the Department of Labor.

Mr. CHAVEZ. After dealing with them for 10 or 12 years, I have come to that conclusion.

Mr. ELLENDER. I think if the Secretary of Labor is empowered to do the things that we propose he should do, he will do his duty.

Mr. CHAVEZ. I say that after we have given millions of dollars to investigate unemployment or employment—and Congress does it every year—and they still cannot come before a committee and give us definite information as to what labor is available, why should we not lose a little faith in them?

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Colorado.

Mr. JOHNSON of Colorado. I am trying to understand the pending amendment. I should like to ask a question, and perhaps the Senator's answer will help me to understand it. Is it not the purpose of the amendment to provide the same protection and services to American workers, including those from Puerto Rico, Hawaii, and other areas in the Western Hemisphere, as the measure proposes to give exclusively to Mexican workers?

Mr. ELLENDER. I do not interpret it that way, for the reason that the bill simply provides a method of importing Mexican labor. Under the law today the Secretary can recruit all the domestic labor that is required. The amendment as now presented does not change the present set-up. As I understand it does not assist domestic labor. It does not assist Puerto Rican or any other labor, but I presume the Senator will call up another of his amendments which in effect provides for a subsidy of domestic labor as well as Hawaiian, Puerto Rican, and other offshore labor.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. ELLENDER. Yes.

Mr. CHAVEZ. If the Senator from New Mexico were to make such a suggestion, which the Senator in his own mind anticipated, what would be the difference between that and voting for a subsidy on cotton or tobacco?

Mr. ELLENDER. It is the Senator's privilege. I am trying to answer the question of my distinguished friend.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HOLLAND. I should like to give one answer to the distinguished Senator from New Mexico. Large groups engaged in agriculture in this country, utilizing offshore labor, do not want any subsidy in connection with their labor. They carry the full expense of bringing in the labor, putting up the bond, and returning the foreign laborers to their own country. They do not want to saddle their business upon the Federal Government. They do not in any way want a subsidy. It is certainly one good reason why no subsidy should be included when a large segment of agriculture which uses foreign labor does not want a subsidy.

Mr. CHAVEZ. I think that is correct.

Mr. ELLENDER. I so indicated to the Senate in my opening remarks. I said relationships which now exist between employers of this country and employees in offshore islands are very satisfactory. The employers and the workers pay all the expenses. The Federal Government is not put to any extra expense at all with respect to the importation of labor by employers on the Atlantic coast.

Mr. CHAVEZ. Suppose we agree that the Federal Government does not pay one penny. Does the Senator think it is fair that the Federal Government should act in that manner? I presume the Senator agrees that that is correct. The Federal Government does not pay

one penny. What difference does it make whether the Federal Government pays a part of the expenses in this connection, or whether it pays a subsidy on cotton or something else?

Mr. ELLENDER. That brings me to the next point, and that is that the bill places upon the shoulders of the employers the burden of the payment of practically all the expenses. In other words, under the terms of the bill the recruiting is done within Mexico, at certain points agreed upon by the Mexican Government and the United States Government. The expense of transportation from those points to a point determined upon in the United States will be paid by the employers, up to a maximum of \$20 per worker.

Mr. THYE. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. In one moment. The cost of transportation from the point within the United States, where the contracts are entered into by employers, to the place of employment, is to be paid by the employer. The Federal Government pays none of that expense. Under the proposal which will be made, I presume, by my distinguished friend—

Mr. CHAVEZ. We are now discussing taking care of American laborers, and not some amendment which I may propose in the future.

Mr. ELLENDER. The Senator proposes to have the Federal Government—

Mr. CHAVEZ. What amendment is being discussed at the moment?

Mr. ELLENDER. It is the Senator's amendment.

Mr. CHAVEZ. It is an amendment to take care of American labor. It has nothing to do with paying a subsidy to any laborers. Is not that correct?

Mr. ELLENDER. The question of subsidies is not involved in the Senator's amendment that is now before us; but I presume that he is going to submit such an amendment a little later.

Mr. CHAVEZ. I do not know. Let us approach one question at a time. Let us discuss whether the Senator wants American labor or Mexican labor, or whether we are going to pay a subsidy to foreign labor. The amendment now before the Senate deals with the question whether we want American labor or Mexican labor.

Mr. ELLENDER. If my distinguished friend does not intend to follow the pending amendment with his subsidy amendment which has been on the desk for some time, I do not see any point in the pending amendment, for the simple reason that the Secretary of Labor can now recruit domestic workers.

Mr. CHAVEZ. I try to deal with each point in turn as it is reached. If the Senator were to accept this amendment, I might feel kindly enough, or pleasantly shocked enough, so that, in order to comply with his wonderful idea of getting labor to the American farmer, I might not even suggest another amendment. However, I do not promise.

Mr. ELLENDER. I do not want to make the bill unworkable. If the Secretary of Labor can certify that there are 50,000 workers in Hawaii, but he cannot

bring them over, the certification might go so far as to say that they could be made available if the employer wanted to send for them. But I do not want the American farmer to be put in that position. I would rather follow the thinking of the Committee on Agriculture and Forestry, and that is to let the bill operate solely with respect to the Republic of Mexico. As I have stated, we have been put on notice that we cannot after June 30 recruit workers in Mexico unless a new agreement is reached between our country and Mexico. This bill does nothing but carry out the purposes of the proposed new agreement.

Mr. CHAVEZ. Mr. President—

Mr. ELLENDER. I yield for a question.

Mr. CHAVEZ. I have the greatest respect for the ability, loyalty, and patriotism of the Senator from Louisiana. However, let me ask him this question: Has he reached the point in life where he considers it necessary to sacrifice American institutions in order to comply with the wishes of a foreign government?

Mr. ELLENDER. Mr. President, to begin with, we are not doing that.

Mr. CHAVEZ. The reason we are proposing to take this action is that we agree—

Mr. ELLENDER. It was the only way by which we could come to terms. I think it was reasonable. Mexico did not try to put anything over on us, nor did we try to put anything over on Mexico. We want to preserve the cordial relationships which now exist.

Mr. CHAVEZ. That is correct.

Mr. ELLENDER. The Mexican Government today has a very serious problem facing it, with respect to the wetback situation. While I was conferring with representatives from Mexico I stated on several occasions that it was my desire to assist them. This legislation is a step in the right direction.

Mr. CHAVEZ. Let me ask the Senator from Louisiana another question. I wish he would read to the Senate any particular clause in the bill which takes care of the wetback problem. Where is there anything in the bill which does so? The Senator is talking about legal entry.

Mr. ELLENDER. On several occasions I have told my distinguished friend that with respect to wetbacks, workers who are here illegally, recontracting is not permitted. We prohibit that in the bill. We say that no contract may be entered into between workers from Mexico and employers in the United States unless the workers have entered the United States legally.

Mr. CHAVEZ. They never had a contract. Millions of wetbacks who are now in this country never had a contract; but they are still working.

Mr. ELLENDER. The Senator is in error if he has reference to Mexicans legally in this country.

Mr. CHAVEZ. Who ever made a contract with a "wetback"?

Mr. ELLENDER. I am talking about Mexicans who have been legally contracted.

Mr. CHAVEZ. They are greatly in the minority and would be so, even under the provisions of the bill of the Senator from Louisiana. I think I understand

and appreciate the fact that he is trying to legalize the importation of foreign labor. But the point which the Senator does not realize is that while he would legalize the importation of Mexican laborers and contracts with Mexican citizens, nothing is done about the million or so who are here illegally, and who are not working under contract.

Mr. ELLENDER. As I have pointed out on several occasions during the debate, it is against the law at present for these workers to enter without permits.

Mr. CHAVEZ. Certainly. The passage of more laws and still more laws would not cure the situation.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I believe that if the bill which I introduced a few days ago is considered soon by the Judiciary Committee of the Senate, we may be able to correct that evil to a certain extent.

Mr. CHAVEZ. Mr. President, I beg the indulgence of the Senator. He has been most kind and patient with me, and I appreciate it. I am sure that he is just as sincere in his position as I am in mine. But if the wetback question is serious—and I believe the Senator will agree with me that it is serious not only for our country and our economy, but also from the standpoint of the Mexican Government—why can we not take care of it in this bill?

Mr. ELLENDER. I am willing to do so, but I doubt whether the Senate would adopt such a provision without hearings on the subject.

Mr. CHAVEZ. Everyone knows that 1,000,000 workers are here illegally.

Mr. ELLENDER. The Senator has an amendment to propose. No doubt the Senate will have an opportunity to vote on it.

Mr. CHAVEZ. I hope at that time the Senator will be as willing to take care of the situation as he now is.

Mr. ELLENDER. I expect to discuss the Senator's amendment later. At one time I thought that it was along the same lines as the bill which I introduced; but it will not accomplish the purpose.

Mr. CHAVEZ. We might get together.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. WHERRY. The Senate now has before it the amendment lettered "J" offered by the distinguished Senator from New Mexico [Mr. CHAVEZ], which has to do with investigation by the Secretary of Labor relative to the question of whether there is a sufficient number of workers in Hawaii, Puerto Rico, and the Virgin Islands, before contracts such as provided for by the bill can be entered into. I should like to ask the distinguished Senator a question similar to that asked by the Senator from Iowa. Is the amendment needed in order to protect American labor?

Mr. ELLENDER. No, it is not needed.

Mr. WHERRY. They are protected now?

Mr. ELLENDER. Yes; the Secretary of Labor is already empowered to recruit domestic labor, including labor from our Territorial possessions.

Mr. WHERRY. Then all that is standing in the way of those workers coming to Nebraska farms is the contact to be made to get them there?

Mr. ELLENDER. Yes, and then, I presume, the payment of transportation.

Mr. WHERRY. What about the transportation? Under the contract provided for in the bill, transportation is actually being paid to bring Mexicans to the border.

Mr. ELLENDER. That is correct. The employers in this country will pay for the transportation of Mexican employees to a point within the United States, and from that point to the place of employment, and there is nothing to stop an employer from doing the same with respect to Hawaiians.

Mr. WHERRY. Is any effort being made to accomplish the same purpose in Hawaii that will be accomplished with respect to Mexicans? I do not mean with respect to the Government paying subsidies. How are laborers in Puerto Rico, for example, to be collected and brought here?

Mr. ELLENDER. The way that is done now is that the United States Employment Service, let us say, will certify that in New Jersey 500 workers are needed to pick the pea crop. This certification can be used by the employers there to go to the Bahamas or to go to Puerto Rico and make arrangements for their labor requirements with Puerto Ricans or with Bahamians.

Mr. WHERRY. Is that being done?

Mr. ELLENDER. Certainly.

Mr. WHERRY. So there is no need for this proposed legislation.

Mr. ELLENDER. No. That is why we have excluded it from the bill.

Mr. WHERRY. That is what I wanted to find out.

Mr. ELLENDER. I have made a statement to that effect on many occasions. I am sorry the Senator has not heard it.

Mr. CHAVEZ. Mr. President, if the Senator will bear with me I should like to state what is being done about it. The Senator may think they are now doing what he said, but they are not. Mr. Goodman was a witness who appeared before the Committee on Appropriations. I was chairman of the subcommittee handling the appropriations for the Department of Labor. I read:

Senator CHAVEZ. As the chairman of this committee, and as an individual only—and I do not represent the views of the committee—I am not in favor of giving the Department any money to go down and get foreigners to work in the country when we have people like the Indians and local citizens who are around here, and who are drafted, and yet who cannot get a job.

Mr. Goodman answered:

I agree with that, except that I would say that we are doing everything we can with the resources we have.

They are doing everything they can. Perhaps saying the Lord's Prayer, doing good deeds, meaning to do the right thing, but not getting the labor they could get. That was Mr. Goodman's testimony.

Mr. ELLENDER. The question of the distinguished Senator from Nebraska had to do with certification of local

needs. Of course, the Senator, I presume, would like to have his amendments providing for subsidization adopted, so that more direct assistance could be rendered by the Employment Service in securing these laborers. The Committee on Agriculture and Forestry decided to make this a self-sustaining program, to make the farmers of the country pay all the expenses, and not saddle the Federal Government with any more expense than necessary.

Mr. CHAVEZ. It was intended to do that at the expense of domestic labor in favor of cheap labor.

Mr. ELLENDER. No, it was not. I repeat there was no such intention. I have read section 503 to the Senate many times. I will ask the Senator himself to read it now, and he will see that before certification can be made the Administrator must find that there is no domestic labor available to do the work.

That, Mr. President, is all I desire to present to the Senate at this time. I urge that the amendment be defeated.

Mr. HOLLAND. Mr. President, I shall speak only briefly on the bill and against the amendment. As the bill first came to the Committee on Agriculture and Forestry it would have included, along with Mexico, other countries in the Western Hemisphere. It would have brought within the purview of the control of the Department of Labor agricultural labor coming in not only from Mexico but from the Bahamas, Jamaica, Honduras, Canada, and other areas in the Western Hemisphere nearby the United States.

Mr. CHAVEZ. It referred to foreign countries within the Western Hemisphere.

Mr. HOLLAND. I thank the Senator. It would also have provided that the expense of negotiating the arrangements for bringing in the labor from all those additional places would be borne by the United States Government under appropriations made for the Department of Labor. It would have provided that the expense of transportation, after the labor was contracted with, would lie upon the United States Government. It would have provided that the expense of subsistence while the labor was on the way to the centers from which it would be distributed and to the farms where it would work, would also be paid by the United States Government. It would have saddled a tremendous amount of expense upon the United States Government which is now being paid by the local agricultural producers of all the States in the United States, except those who rely upon Mexican labor.

In other words, in the case of the States which bring in Canadian labor, as was stated by the Senator from Vermont [Mr. Aiken] a few minutes ago, they make their own arrangements, they furnish their own subsistence for the individuals who come in from Canada to help them. They furnish the housing. They take care of the transportation. The United States Government is at no expense whatsoever.

The same thing is true, Mr. President, with reference to the many thousands

of laborers who since World War II and during World War II have been coming in from the Bahamas and from Jamaica, and, for a time, from Honduras. Those laborers come in under arrangements made by our producers. They cannot get that labor without first having obtained certificates from the Department of Labor that no domestic labor is available. In other words, the domestic labor is certainly protected by that feature of the law.

Then they cannot get that labor until they make satisfactory arrangements with the Government of the Bahamas or the Government of Jamaica, or wherever the labor is coming from, to the effect that they are to be well-housed, that their transportation here is to be paid, that their transportation back home is to be paid. They are required to put up bonds to that effect. Likewise that the laborers will be paid the prevailing wage rate in the place where they will work. In other words, under the law as now applicable, no laborers coming into the United States from offshore areas or from Canada can be imposed upon, nor can domestic labor be imposed upon, because the offshore laborers or Canadian laborers cannot be brought in unless there is a shortage of domestic labor, which has already been determined and certified by the Secretary of Labor.

Mr. President, the members of the committee coming from all other portions of the United States except that portion where the Mexican labor problem exists, were anxious to help both the Government of Mexico and the citizens of Mexico and the agricultural producers in that portion of the Nation who look cutomarily to Mexican labor to help produce and gather their crops. But we were not willing to do that at the expense of building a tremendous hierarchy, with all the expenses I have just mentioned visited upon the United States Government, with subsidies such as I have mentioned being created for agricultural producers in all other areas of the United States, with extensive transient camps set up in various parts of the Nation, such as have been mentioned in the testimony. We were not willing to do that at the expense of establishing such a tremendous hierarchy, because we felt it was sounder democracy and better government and better agricultural practice to have the system prevailing under the present law continued. Under that system we cannot get one laborer from outside the United States unless there is a shortage here, and we cannot get a single laborer from outside the United States without agreeing to pay him the prevailing wage rates and without taking care of his transportation in both directions and furnishing him with medical care, good housing, and the other things which have been set forth.

We think it is sound Americanism and soundly in the protection of American labor and soundly in the protection of American agriculture to insist, as we did in the committee, that this bill be

limited solely to the question of Mexican labor.

Mr. President, what were the reasons why it was felt in the committee that Mexican labor could be brought within the purview of this bill, provided it was confined to Mexican labor, without doing violence to the principles of international comity, without doing violence to agricultural producers elsewhere in the Nation, and without doing violence to agricultural workers who are citizens of the United States?

There are two reasons, one of which has already been mentioned so fully by the distinguished Senator from Louisiana [Mr. ELLENDER] that I shall not attempt to repeat it, but shall simply outline it briefly. That reason is that under the system now prevailing, Mexico has felt that instead of having Mexican labor taken from areas in Mexico where there is unemployment and instead of giving the help where it is needed and where it should be given, all to frequently the labor has been recruited from directly across the border, even though at that time those areas were prosperous, needed the labor of the Mexicans who lived there, and afforded an ample field for the employment of the local labor.

So the Mexican Government has insisted—and I think it is entirely within its rights in so insisting, because Mexico is great in expanse, and in many cases the conditions which are to be found in Mexico are not to be found in many other countries—that areas in Mexico in which there is unemployment shall be given preferment in the recruitment of laborers to come to the United States. The Mexican Government has given notice that beginning with the middle of this year, unless a law under which they can follow such a system is enacted, they will not favor the continuation of the present system and will not cooperate in its continuance.

I think the Mexican Government is entirely within its rights in taking that position. The members of the committee felt that the Mexicans are completely within their rights in insisting that the law be changed in such a way as to allow the Mexican economy to be properly considered in connection with this matter, as well as to give proper consideration to our own economy in the sections of the United States where such labor is needed. So the bill is proposed by the committee to be changed in such a way as to meet that situation.

Enactment of the bill as reported by the committee is also badly needed in order to meet the situation which arises because of the fact that Mexico is the only one of our neighbors which lies just across a small river for some 1,500 or 1,800 miles, and across an imaginary line along the rest of the border, which not only can be very easily crossed illegally, but as to which illegal crossings have proved to be extremely frequent. Furthermore, it has been found that such illegal entries are prejudicial to Mexico and also to the welfare of our own people. As the distinguished Senator from Louisiana has said, the situation result-

ing from such illegal entries, when wet-backs, as they are called, illegally enter our country and are employed here, is that they are not paid fair wages, do not receive proper housing or medical attention, and often are so forced down economically that instead of being able to take back to Mexico material and substantial American dollars—which is one of the principal objectives of the exchange of labor—they are lucky to be able to return at all, even though while in the United States perhaps they have had a somewhat improved diet as compared to the one they would have had at home; but otherwise their condition has not been improved in any way.

So the Committee on Agriculture and Forestry thought it was entirely right and fair and decent to make this provision applicable only to Mexican labor for the reasons we have indicated.

Mr. President, I would dislike very much to see this amendment adopted, because it would put all of us who live at a distance from the border in the position of asking the Federal Government to subsidize a practice which we find is entirely acceptable to us and to the neighboring nations with whom we deal. We do not believe in subsidies; we do not want them; we do not ask for them. We think we can make our individual arrangements under the supervision of the Department of Labor and the Department of Justice and the Department of State. We think we can make our arrangements better as we have made them in the past, and without any expense whatever on the part of the Federal Government, and without putting our splendid and independent agricultural industries in the position of asking for and receiving a subsidy for something they are quite able to carry themselves and to do to their own advantage.

Mr. President, the proposal made by the pending amendment is so far reaching in its terms that I think it might be well for me to read into the RECORD a few of the statements made in the testimony at the hearings, so that what is sought to be established by means of the amendment will be crystal clear.

I shall read briefly from several of the statements made by the Assistant Secretary of Labor, Mr. Creasey, when he appeared before the committee during the course of the hearing.

First, I wish to read a few excerpts having to do with the proposed system of transient camps. The Secretary of Labor made it perfectly clear, through the testimony offered by his assistant—and, incidentally, the answer he gave in direct response to a question which was asked was that his testimony was the testimony of the Department of Labor, and not solely his own testimony—that they want a system of motels or transient camps extending from New England to California, and from the Canadian border to the Gulf of Mexico, transient camps at which would be housed these migratory laborers as they travel around. Certainly I do not have to say to the Senate that such a system, instead of simplifying and reducing the travel of migratory agricultural laborers,

would make them much more widely traveled persons than they now are, because that would be an open invitation to them to go thousands of miles, whereas today they go perhaps hundreds of miles from one point of work to another.

I read now from page 26 of the hearings:

Senator HOLLAND. Excuse me there. Is what you are talking about there a series of transient camps?

Mr. CREASEY. That is right.

Senator HOLLAND. To house transient migratory labor as it is traveling from one part of the United States to another?

Mr. CREASEY. That is correct.

Senator HOLLAND. How many such camps do you have in mind?

Mr. CREASEY. Frankly we have not gone into it far enough to decide how many there should be. I do not think it would require very many.

Senator HOLLAND. But you are asking for the inclusion of that factor in this legislation?

Mr. CREASEY. That is correct.

I read now from page 27:

Senator HOLLAND. I was anxious to take a practical problem in this field. It is a well-known fact that migratory farm labor that starts out in south Florida in the winter ends up in Connecticut in the tobacco fields in the late summer or early fall. Is it your idea to have a series of tourist camps that would accommodate this migratory labor as it moves from south Florida to Connecticut through the course of the various seasons, extending from winter in Florida to early fall in Connecticut? Is that your idea?

Mr. CREASEY. That is correct.

Let us remember that he was talking, not only about labor which comes to the United States from the Bahamas, Jamaica, and Honduras, but about all migratory farm labor, because the essence of his entire statement was that since it is necessary under this program to have certain provisions made for housing and for the working conditions of the Mexican laborers who leave their homes in Mexico, therefore the same conditions should be established for the hundreds of thousands of migratory agricultural laborers who travel from one end of this country to the other. That is clear from the testimony of Mr. Creasey, who said, in response to my question on that point, "That is correct."

My statement was that what they propose is to have a series of camps extending from Homestead, Fla., on the east coast, to Maine.

I read further from the hearings:

Senator HOLLAND. Mr. Creasey, is this testimony your own personal testimony or is it for the Department of Labor?

Mr. CREASEY. Which do you mean?

Senator HOLLAND. The tourist camps.

Mr. CREASEY. That is from the Department of Labor.

So that is the program we have before us, as proposed at this time.

Now let me go a little further. I read now from page 31 of the hearings:

Senator HOLLAND. Mr. Chairman, I would like to pursue one more point. If I understood the witness correctly, and I am going to ask him the specific question as to whether I did, his proposal embodies not only setting up of this series of tourist camps, but also of paying the transportation of domestic

workers on a parity with the paying of the transportation of the offshore workers or Indian workers who he brought in from Mexico and other places; is that correct?

Mr. CREASEY. That is correct.

I then asked this question:

In other words, since you have to pay the transportation of a Mexican worker to work in the beet fields in the Midwest all the way from his home in Mexico, there and back, you feel that you should be prepared to pay the transportation of domestic farm laborers in similar amounts?

Mr. Creasey answered:

That is correct.

Mr. President, it ought to be very clear by this time what kind of set-up it is proposed to create, but there are one or two other things I wish to mention. On page 36, in my questioning of Mr. Creasey, I asked the following questions, to which Mr. Creasey gave answer as follows:

Senator HOLLAND. I would like to ask another question to make it clear. Do I understand that one of your principal grounds of opposition to S. 984 as now written is that while it provides for transportation of foreign workers to this country and return to recruitment centers from which they were obtained, which you favor, that you are not willing for the bill to fail to have a similar provision or identical provision with reference to domestic farm labor? Is that it?

Mr. CREASEY. Not identical, but similar. In other words, we say that the offer you make to Mexicans, you should be willing to make to Americans.

Senator HOLLAND. In other words, that the transportation costs to and from the place of labor should be paid by the Government in the case of domestic farm laborers just exactly as in the case of Mexican farm laborers?

Mr. CREASEY. In the same manner and to the same extent, and no more.

Senator HOLLAND. And that in addition to that you favor the setting up of these tourist camps along the lines of migration to house the migrant laborers and their families as they go from place to place?

Mr. CREASEY. We think it is a very desirable thing, Senator.

Mr. President, those of us who come from areas not contiguous to Mexico are happy to cooperate with the Mexican Government, and to cooperate with the tens of thousands of Mexican citizens who want this outlet for their labor, this chance to enjoy better living standards, with better opportunities for themselves and their families. We likewise want to cooperate with the agricultural industries in that portion of the Nation which naturally looks to that source of labor after the supply of domestic labor is exhausted.

I am not willing to go along with this program if it be enlarged to include all the enormities which I have mentioned, which are shown by the record, which are included within some of the amendments which have been proposed, beginning with the particular amendment which is offered at this time. I hope the Senate will reject the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Mexico [Mr. CHAVEZ] on page 1, line 6.

Mr. CHAVEZ. I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. CORDON. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. CORDON. Mr. President, I ask unanimous consent that the suggestion of the absence of a quorum may be withdrawn and that the order for the call of the roll may be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The question is on agreeing to the substitute amendment, of the Senator from New Mexico [Mr. CHAVEZ]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Iowa [Mr. GILLETTE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Maryland [Mr. O'CONOR], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Virginia [Mr. ROBERTSON], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Kentucky [Mr. UNDERWOOD] are absent on official business.

The Senator from Georgia [Mr. GEORGE] is necessarily absent.

The Senator from West Virginia [Mr. KILGORE] is detained on official business in a committee meeting.

The Senator from New York [Mr. LEHMAN] is absent by leave of the Senate on official business, having been appointed a member of the United States delegation to the World Health Organization, which will meet in Geneva, Switzerland.

The Senator from Washington [Mr. MAGNUSON] is absent by leave of the Senate on official committee business.

The Senator from North Carolina [Mr. SMITH] is absent by leave of the Senate. The Senator from Mississippi [Mr. EASTLAND] is paired on this vote with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from Mississippi would vote "nay," and the Senator from Minnesota would vote "yea."

The Senator from West Virginia [Mr. KILGORE] is paired on this vote with the Senator from Arkansas [Mr. FULBRIGHT]. If present and voting the Senator from West Virginia would vote "yea," and the Senator from Arkansas would vote "nay."

The Senator from Tennessee [Mr. KEFAUVER] is paired on this vote with the Senator from Iowa [Mr. GILLETTE]. If present and voting the Senator from Tennessee would vote "yea," and the Senator from Iowa would vote "nay."

The Senator from New York [Mr. LEHMAN] is paired on this vote with the Senator from North Carolina [Mr. SMITH]. If present and voting, the Senator from New York would vote "yea," and the Senator from North Carolina would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. FLANDERS] is absent by leave of the Senate, and, if present, would vote "nay."

The Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate on official committee business.

The Senator from Ohio [Mr. TAFT] is necessarily absent, and, if present, would vote "nay."

The Senator from California [Mr. NIXON] and the Senator from Idaho [Mr. WELKER] are absent on official business. If present and voting, the Senator from California [Mr. NIXON] would vote "nay."

The Senator from Maine [Mr. BREWSTER], the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Maryland [Mr. BUTLER] are detained on official business.

The result was announced—yeas 12, nays 59, as follows:

YEAS—12

Benton	Ives	Moody
Capehart	Jenner	Morse
Chavez	Johnson, Colo.	Murray
Douglas	McMahon	Neely

NAYS—59

Aiken	Hennings	Maybank
Anderson	Hickenlooper	Millikin
Bennett	Hill	Monroney
Bricker	Hoey	Mundt
Butler, Nebr.	Holland	Pastore
Byrd	Hunt	Russell
Cain	Johnson, Tex.	Saltonstall
Carlson	Johnston, S. C.	Schoeppel
Case	Kem	Smathers
Clements	Kerr	Smith, Maine
Connally	Knowland	Smith, N. J.
Cordon	Lodge	Stennis
Dirksen	Long	Thye
Dworschak	McCarran	Tobey
Ecton	McCarthy	Watkins
Ellender	McClellan	Wherry
Ferguson	McFarland	Wiley
Green	McKellar	Williams
Hayden	Malone	Young
Hendrickson	Martin	

NOT VOTING—25

Brewster	Gillette	O'Mahoney
Bridges	Eurnphrey	Robertson
Butler, Md.	Kefauver	Smith, N. C.
Duff	Kilgore	Sparkman
Eastland	Langer	Taft
Flanders	Lehman	Underwood
Frear	Magnuson	Welker
Fulbright	Nixon	
George	O'Conor	

So the amendment of Mr. CHAVEZ was rejected.

AMERICAN POLICY IN THE FAR EAST— SENATOR TAFT'S SPEECH BEFORE THE UNITED STATES CHAMBER OF COMMERCE

Mr. McMAHON. Mr. President, yesterday the Senator from Massachusetts [Mr. LODGE] and the Senator from Oregon [Mr. MORSE] made very strong pleas for more rapid rearmament of our country. During the remarks of the Senator from Oregon, at my request, he yielded to me, and I read to him a short dispatch which appeared on the Associated Press ticker. It was the report of a speech which had been made by the senior Senator from Ohio [Mr. TAFT] before the United States Chamber of Commerce. I did not pursue the matter at the time further than to read the dispatch. I regret that the Senator from Ohio is unavoidably detained and is absent today. I did not pursue the matter further at that time because I thought, after I read the dispatch, that

it could not possibly be a correct report of what the Senator from Ohio had said. I today sought to get a transcript of the Senator's remarks, but was unable to do so. However, I find a story by Joseph A. Loftus in today's New York Times which bears out the Associated Press account of the Senator's speech. I believe now that the AP quoted him correctly.

What the Senator proposed to the United States Chamber of Commerce yesterday was that we cut the budget \$20,000,000,000, that we cut the Armed Forces 500,000 men, and that we pursue a more aggressive course in Asia; in other words, that we enlarge the war in Asia. I further note that the Senator's audience cheered him at the conclusion of that kind of speech, which leads me to observe that they cannot have truly appraised the situation.

I have rarely seen anything more illogical than the statement made by the senior Senator from Ohio. I know of no Senator who would not like to cut the budget \$20,000,000,000, and who does not regret that we are saddled with the tax load with which we are burdened at the present time, and with which we are going to continue to be burdened. I do not know of any Senator who would not wish that our Armed Forces numbered 300,000 men instead of 3,500,000. But I know of no Member of the United States Senate, except the Senator from Ohio, who believes that it is possible to cut the budget \$20,000,000,000, and to cut the Armed Forces by 500,000 men, and still carry on an invasion of the Chinese mainland. Yet, in my opinion, that is exactly what the Senator is advocating when he supports the proposals which have been made by General MacArthur for the very soft term—"logistical support." It is time that proposals of that kind cease, if we are to make the American people aware of the kind of situation we confront.

I thought it only right that this statement should be made for the record and the attention of the Senate called to the fact that this kind of proposal has been made by the senior Senator from Ohio, who in the press of the country has been termed "Mr. Republican." I call upon responsible leaders of the Republican Party to repudiate this kind of statement, which I think is truly a most irrational approach to the problems of our time.

ACQUISITION OR DISPOSAL OF REAL ESTATE BY DEFENSE DEPARTMENT

Mr. SALTONSTALL and Mr. CHAVEZ addressed the Chair.

The PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, on Monday, April 23, the Senate passed Senate bill 285, a bill relating to the acquisition and disposal of real property by the three military services. This bill was unanimously reported by the Armed Services Committee and was passed by the Senate without objection. On the same afternoon, the House of Representatives passed House bill 3096, which is identically the same as the bill passed by the Senate with the exception of one

word. As passed by the Senate, these agencies are not required to report inter-service transfers of real property while under the House bill they are required to report such transfers.

In order to correct this minor difference between the bills as passed by the respective Houses of Congress, I ask unanimous consent that the Senate consider House bill 3096, and I recommend its passage in place of S. 285, already passed by the Senate.

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). The clerk will read the House bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 3096) relating to the acquisition and disposition of land and interests in land by the Army, Navy, Air Force, and Federal Civil Defense Administration.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. WHERRY. I have no objection, but I should like to ask the distinguished Senator what the one word is to which he refers.

Mr. SALTONSTALL. The Senate passed the bill "excepting" real estate transactions between one branch of the military service and another. The House bill contained the word "including", thus covering such transfers; so that, if a transfer were made from the Army to the Navy, the provision of the bill which requires a report, either to the Committee on Armed Services of the Senate, alone, or to the Armed Services Committees of both the Senate and the House, would apply to the transaction; whereas under the Senate bill it would not apply to it.

The PRESIDING OFFICER. Is there objection?

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. ELLENDER. Does the Senator ask unanimous consent to lay aside temporarily the unfinished business?

Mr. SALTONSTALL. I asked unanimous consent that the House bill be considered. I understand from the Parliamentarian that it is not a privileged matter, and that I would therefore have to obtain unanimous consent, in order to have the one word changed. In other words, the Senate passed the bill, without objection, and my motion is to pass the House bill, in which there is a difference of one word. There will be no debate on the bill, I hope.

Mr. ELLENDER. What I had in mind was ascertaining whether the Senator had asked unanimous consent temporarily to lay aside the unfinished business.

Mr. SALTONSTALL. All I asked was unanimous consent that the Senate pass the House bill.

Mr. ELLENDER. But there is a measure pending before the Senate at the moment.

Mr. SALTONSTALL. If unanimous consent should be obtained to lay aside temporarily the unfinished business, I ask such consent. There will be no debate on the bill, so far as I know.

Mr. ELLENDER. Is the pending bill to be temporarily laid aside for that purpose?

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that the consideration of the bill referred to by the Senator from Massachusetts by unanimous consent will not affect the present status of the pending bill.

Mr. ELLENDER. That is what I wanted to have clear, Mr. President.

Mr. CHAVEZ. Mr. President, if we agree to the unanimous-consent request of the Senator from Massachusetts to pass the House bill, would we then automatically return to the consideration of the pending measure?

Mr. WHERRY. It is a very simple matter. The distinguished Senator from Massachusetts has asked unanimous consent to pass a House bill without displacing the pending bill at all. It can be done in 30 seconds.

Mr. ELLENDER. That was not mentioned, and that is what I wanted to ascertain.

The PRESIDING OFFICER. Is there objection to the consideration of House bill 3096?

There being no objection, the bill (H. R. 3096) relating to the acquisition and disposition of land and interests in land by the Army, Navy, Air Force, and Federal Civil Defense Administration, was considered, ordered to a third reading, read the third time, and passed.

EFFECT OF PRICE ROLL-BACK ON LIVESTOCK YARDS

Mr. THYE. Mr. President, will the Senator from New Mexico yield for perhaps 5 minutes in order that I may invite the attention of the Senate to a situation which is developing in the livestock yards throughout the United States, and more particularly in the South St. Paul livestock yard? It will take only about 5 minutes.

Mr. CHAVEZ. Mr. President, of course I am always glad to accede to the wishes of the Senator from Minnesota. The Senator from Louisiana [Mr. ELLENDER] wants to see what will happen to the pending bill and how long it will be before we have a vote on it.

Mr. THYE. I thank the distinguished Senator from New Mexico.

Mr. President, I am in receipt of a number of telegrams from the State of Minnesota as of this date. These telegrams have been sent because of the roll-back in beef prices as promulgated and issued on April 29 by Mr. Michael P. DiSalle, Director of the Office of Price Stabilization. There is one telegram which I received from a gentleman living in the southwestern part of Minnesota, which I should like to read:

Please explain how a farmer is going to feed cattle on the proposed roll-back. If it would include machinery and labor it might work. Many farmers put feeders in at 30 to 40 cents—

That is, they put them into the feed lots at 30 to 40 cents a pound.

Is the farmer supposed to take the whole cut? Please answer at once. Three to five hundred farmers will be at our sale this

afternoon. I want to read your answer to them.

This is the reply which I sent within the past hour:

Replying to your telegram I wish to say that I have objected to beef price control program announced by OPS. Questions you raised cannot be answered in any other manner than that farmer is going to suffer the loss. Consumer will lose also as livestock today is going to market unfinished, and ultimately there will be less beef because of this unwise OPS order. I shall continue to protest order.

Mr. President, I received another telegram, from Mr. C. S. Carlson, manager of the Superior Packing Co., St. Paul, in which he says:

We have just sent the following wire to Donald L. Leach, OPS, room 1504, Temporary S Building, Washington, D. C.:

"Regarding the congested conditions in our yards and our inability to relieve the situation account of quotas, will you be good enough to contact and see if you can get a quick answer?"

That is signed by C. S. Carlson.

The Superior Packing Co. yards in St. Paul are so congested that their quotas forbid them to take any more livestock. The same situation is found in South St. Paul, so far as it relates to Armour, Swift, and Cudahy. I called by telephone within the past 30 minutes, and was told that the trucks are lined up for miles waiting to be unloaded.

Mr. CHAVEZ. Mr. President—

Mr. THYE. Will the Senator permit me a couple of minutes more?

Mr. CHAVEZ. Very well.

Mr. THYE. Mr. President, my only reason for bringing this matter to the attention of the Senate is that cattle are coming in droves, which means that they are coming in unfinished, and that the animals are 200 or 300 pounds light of what they would weigh if they were finished. Within 90 days we are going to be short the number of pounds of meat which the animal would have gained had it been brought to the best marketable condition.

If this situation is happening in Minnesota, it is happening likewise in other yards throughout the United States. The consumer is going to be faced with less meat next fall, and rationing will have to be put into effect. The farmer who paid from 30 to 33 or 34 cents a pound for feeders has been taking a cut of from \$2 to \$3 a hundred pounds within the past few days. The price of unfinished cattle has gone down from \$4 to \$5 a hundred pounds.

If the able Senator from New Mexico will permit me to take a few more minutes, I will show what some of the producer's costs are and how they have gone up.

Soybean meal is the only high-protein feed that has gone down in price. It went down from \$1.73 to \$4.59 a hundred pounds.

Linseed meal is one of the high-protein feed which is fed the feeder cattle to make high quality meat. It has gone up from \$4.40 to \$4.48 a hundred pounds.

Cottonseed meal has gone up from \$4 to \$4.89 a hundred pounds.

feed lot at 1,000 or 1,100 pounds. If such a condition continues sufficiently long the consumer can look forward to meat rationing, or obtaining no meat at all except through undesirable channels.

Mr. THYE. That is correct.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. THYE. I am happy to yield.

Mr. HICKENLOOPER. I should like to ask the Senator from Minnesota if it is not true that the shortage will come about as the result of two things. The actual shortage to which the Senator from Vermont is referring may not come until 6 months from now, but the shortage will come for two reasons. First, because of the fact that the present animals on feed are going to be sold light. They are going to be dumped on the market. That will contribute to the shortage 6 months from now. Secondly, the feeders are not going into the market to buy feeder cattle to put on feed under the present chaotic conditions resulting from the actions of the Price Administration in Washington. Both factors will result in a shortage of meat. By reason of the sale of light animals there will be depletion of the amount of meat which will be available in the future. The farmer who would be a feeder of cattle would be scared to death of bankrupting himself if he should undertake to do that in the present chaotic condition; therefore he is not going to put the same number of cattle into the feed lot that he ordinarily would today, or in the next 3 or 4 months, and that will contribute to the shortage of animals.

Mr. THYE. As the Senator knows so well, one can drive across the good State of Iowa and find a tremendous number of beef calves going into the feed lots in the fall of the year. If one drives through there in the winter or spring one will find the feed lots full of unfinished cattle, that normally remain on feed in July and August and then are marketed. Such cattle are now going to be rushed into the market, because how can a feeder continue to feed the cattle when the cost of his feed is in excess of what he will receive for the cattle? Therefore, he is bound either to move the cattle or take a terrific loss.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. THYE. I yield.

Mr. YOUNG. The drastic drop in price in the last 3 or 4 days may be very welcome to and probably a sign of success to Mr. DiSalle. I think the Senator from Minnesota is absolutely correct, however, in the statement he has made. In a matter of a few months we will be paying through the nose, so to speak; we will be far more short of beef than we have ever been before, and rationing will be in order.

Mr. President, I think the shortage of beef in the past 3 or 4 years has been attributable almost entirely to the disastrous program of OPA during the war and afterward. Even that program, backed up by several billion dollars in subsidies, was unsuccessful. Administratively, I think that by the use of subsidies they can carry on a price-control program much more effectively. Either

way, controls on meat are impossible and unwise, as they are trying to do it now, this thing will certainly result in disaster for all concerned.

Mr. THYE. I thank the distinguished Senator from New Mexico for yielding the time for this discussion.

SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO

The Senate resumed the consideration of the bill (S. 984) to amend the Agricultural Act of 1949.

The PRESIDENT pro tempore. The bill is open to further amendment.

Mr. ANDERSON. Mr. President, I desire to call up my amendment B, which is rather short, and the disposition of which probably will require only a minute or so.

The PRESIDENT pro tempore. The clerk will state the amendment.

The CHIEF CLERK. On page 4, lines 11 and 12, it is proposed to strike out the words "Director of State Employment Security for such area" and insert "Secretary of Labor."

Mr. ANDERSON. Mr. President, I do not desire to discuss the amendment, except to point out that all the discussion of this bill has indicated that certification ought to be made by the Secretary of Labor, and a statement was made by the chairman of the committee to the effect that the provisions of the contract would require that it be made by the Secretary of Labor. I do not wish to discuss the amendment, but to urge that certification be by the Secretary of Labor. I hope the chairman of the committee may see fit to accept the amendment, or that the Senate may promptly adopt it.

Mr. ELLENDER. Mr. President, I merely wish to say that on the suggestion of the distinguished Senator from New Mexico, the committee finally agreed to place the recruitment on a State basis. Since then, the distinguished Senator himself has proposed this amendment, and I have inquired further regarding the matter. I find that in a press release by the Mexican Government, it is said that Mexico will not agree to State government agencies assuming the responsibility. Therefore, I think it would be in line to accept the amendment now suggested.

Mr. HICKENLOOPER. Mr. President, I am very sorry that the Senator from New Mexico has proposed this amendment. I do not want any statement made, and I do not want any statement to be accepted, which indicates acceptance of the amendment by all members of the Committee on Agriculture and Forestry. I am very much opposed to the amendment, as a member of the committee. I was very much in favor of the provision as it came from the Committee on Agriculture and Forestry, that the employment agencies within the States should determine, as a matter of efficiency, the question of labor shortages, in order that action might be taken at a place close to home. I feel that the arguments which were urged within the committee itself, and which resulted in the committee's reporting the bill, providing that the State employment agen-

cies should make the determination, are good.

I am in sympathy with the Senator from New Mexico. I understand his desire. He now takes the position, and I think he has reason for it, that there is some confusion in Mexico about this matter, and that the Mexican Government demands that the Secretary of Labor make the determination. So far as I am concerned, I think we should write the legislation on this subject in the Senate of the United States, and I very much favor the way the bill came from the committee.

If there is not to be a yea-and-nay vote, I wish the RECORD to show that I shall vote against the amendment, because I want to keep the determination in the States, and keep the cold and distant hand of the Secretary of Labor out of the picture, so far as the determination of labor-shortage areas is concerned. I hope the amendment will be defeated. I do not mean to be in opposition to the chairman of the committee, necessarily, nor to the Senator from New Mexico, who has worked hard on this bill, but I disagree with the basis upon which he has proposed this amendment. I shall have to oppose it, so far as my vote is concerned.

I hope the amendment will be rejected and that the terms of the bill will be left as they were when the bill came from the committee as a result of careful committee consideration in its deliberations on this proposed legislation.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. WATKINS. I ask for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDENT pro tempore (putting the question). The "ayes" seem to have it.

Mr. WHERRY. I ask for a division.

On a division the amendment was agreed to.

Mr. CHAVEZ. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The clerk will state the amendment offered by the Senator from New Mexico.

The LEGISLATIVE CLERK. At the appropriate place in the bill it is proposed to insert the following:

SEC. —. Any person, including the owner, operator, pilot, master, commanding officer, agent, or consignee of any means of transportation who—

(1) brings into or lands in the United States, by any means of transportation or otherwise, or attempts, by himself or through another, to bring into or land in the United States, by any means of transportation or otherwise; or

(2) conceals or harbors, or attempts to conceal or harbor, in any place, including any building, or any means of transportation; or

(3) employs, any alien, including an alien crewman, not duly admitted by an immigration officer or not lawfully entitled to enter or to reside within the United States under the terms of this act or any other law relating to the immigration or expulsion of aliens, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$2,000 and by imprisonment for a

term not exceeding 5 years for each alien in respect to whom any violation of this section occurs.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. CHAVEZ].

Mr. McCARRAN. Mr. President, as I understand the amendment, it is with reference to a subject which is covered in an omnibus immigration bill which will be before the Senate within a very short time. It is a subject which is within the jurisdiction of the Committee on the Judiciary. It seems to me that the amendment should not at this time be adopted as a part of this bill.

Mr. CHAVEZ. Mr. President, I offered the amendment in order to be able to make a statement at this time with reference to the pending bill.

The Senate has taken definite action on my first amendment. When I say "definite action" I mean overwhelming action as to the position which I have taken. The amendment against which the Senate has just voted so overwhelmingly would have protected American labor against Mexican labor. I want that fact understood. But the Senate in its wisdom has the right to determine even that question, and I have no complaint whatsoever.

My Republican friends love to attend Lincoln Day dinners and remember what he stood for. They have knocked down everything he stood for by voting against my amendment.

My Democratic friends, who like to brag about Jefferson, Jackson, yes, and Roosevelt and Truman, have, in my opinion, knocked down everything those men stood for.

I am not criticizing Senators. This body has the right to make a mistake if it wants to. It is one of the basic rights of an American to make a mistake if he wants to. But the Senate has gone on record for cheap labor.

There is not one of us but who had an ancestor who was an immigrant, who tried to get away from a foreign country to escape economic disadvantages or political or religious difficulties. I know the history of the United States. The Senate has made a mistake. Any time this body prefers foreign labor to American labor it is undermining the things fought for in 1776. I know as well as does any Anglo-Saxon the history of this country. I know what Sam Adams and John Adams stood for. I know what Washington, Jefferson, Madison, and other Virginians stood for. They worked to give us a Declaration of Independence and a Constitution, and when they opened the door to immigration, they did not say that citizens of the United States had to come from Sweden, England, Spain, or elsewhere. The basic idea in their minds was their great concept of living standards. Many races and religious have been the beneficiaries of that concept which in my opinion has been knocked down today.

Any time we prefer foreign labor to our own American labor we are interfering with the basic ideas of our Government, especially when such foreign labor is so desperately in need of work, and that, of necessity, it will work for a

miserable wage. Remember that none of us has a right to say it was our particular group alone that was intended to be protected by the Constitution. Our ancestors suffered throughout the ages, and the reason why they came to this country was to improve their condition, and try to obtain liberty.

I invite the attention of my good friend the junior Senator from Texas to a telegram I have received from his State. Under the laws and the rules of the State of Texas the Senator was nominated by less than 100 votes to represent that State in this body. Those who took part in that nomination are the ones I want to read about at this time. Their ancestors were at the Alamo. There were Navarros and other Mexicans as well as Americans there, fighting for the very thing we are talking about today.

I received this telegram from a boy in Texas, an American, not a Mexican. He says:

American GI Forum Veterans Organization, representing more than 50,000 American veterans of Mexican origin—

Some of us may have come from Norway; others may have come from Ireland, from Canada, from Scotland, from Wales, or some other country. We may have different ideas, but we carry out the ideal of America. The 50,000 referred to in the telegram are Americans of Mexican origin.

Thousands of veterans are not able to make a decent living because of low-wage competition by the wetbacks and imported labor.

The amendment which I submitted would take care of the wetback situation, which even my friend from Louisiana believes should be taken care of.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CHAVEZ. Yes.

Mr. DOUGLAS. Is it not true that an amendment such as is proposed by the senior Senator from New Mexico is needed in order to prevent the illegal entry of wetbacks?

Mr. CHAVEZ. Yes; the wetbacks and those who come in legally ought to be considered together. If we admit 500,000 legally, and a million of them come across the border illegally, we will not solve the problem.

Mr. DOUGLAS. The Senator's amendment would put teeth into the bill; would it not?

Mr. CHAVEZ. It would do more than that. What about the veterans who did the fighting? Do they deserve to be protected by us? Should we not do something at least to prevent wetbacks from coming in and keeping a veteran from making a living? It is not a question of politics. It is a question of taking care of our own people. I do not care if my amendment gets only seven votes. I still prefer American labor to foreign labor. I prefer American labor to foreign labor irrespective of the fact that we can get foreign labor for 70 cents or 80 cents a day.

Thousands of children—

Children—

Thousands of children of veterans are not able to enjoy good health because veterans

and their families are forced to work for starvation wages because of imported labor.

The labor would come in legally under the bill; illegally under the wetback system. Is it not fair, I ask those who believe in Jefferson, those who believe Adams, and those who believe in our way of life, to give American laboring men a chance to exist?

Americans of Mexican origin in Texas must have—

They are even begging— must have opportunity to live like human beings and first-class citizens. The best way to do it is to stop all imported labor.

Is that asking too much? The greatest characteristic of an American is not the tendency to brag about this and brag about that, or brag about patriotism or loyalty. The greatest characteristic of an American is fair play. Why can we not be fair with our own? All they want is an opportunity to live like human beings and first-class citizens.

The Senate has exercised its judgment. The judgment of the Senate will not be questioned by me. I think it was wrong, but it was in accordance with our system. The Senate has overwhelmingly voted against my amendment. In my opinion, it would have protected Americans. I simply wish to make the statement for the record so that my position may be clear, and Senators may realize what they have done. I am disappointed, of course, because I think the Senate took a wrong stand, but the Senate had the right to take the stand. Senators have a right to exercise their own judgment. The Senate has spoken overwhelmingly on a very important amendment.

I now wish to ask that the remainder of the amendments which I had intended to propose be printed in the RECORD, together with my argument on each of them. Then I wish to withdraw the pending amendment and the other amendments.

The PRESIDENT pro tempore. The amendments are withdrawn. The bill is open to further amendment.

Mr. CHAVEZ. Do I understand that the amendments to which I have referred are to be printed in the RECORD at this point together with the accompanying arguments, and that then they are to be withdrawn?

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendments intended to be proposed by Mr. CHAVEZ and accompanying arguments are as follows:

AMENDMENT 2

On page 2, beginning in line 4 with the word "including", it is proposed to strike out through the word "entry" in line 6 and insert in lieu thereof "not including any workers illegally in the United States."

My interpretation of "including any such workers under legal entry" leaves the door open for the protection of illegals by large-scale growers who want to exploit them. I believe that the Immigration and Naturalization Service has been doing an excellent job in the enforcement of the Immigration laws of the United States, and I have full confidence that they are following the letter of the law. Therefore, instead of using the term "legal entry," I would substitute "including any such workers illegally in the

United States." There have been several attempts within the past few sessions of Congress to legalize the so-called wetbacks. I think that my language in this instance is clear and without question as to its proper meaning.

AMENDMENT 3 (A)

On page 2, line 8, after the word "into", it is proposed to insert a comma and the following: "and of their anticipated employment in."

AMENDMENT 3 (B)

On page 2, it is proposed to strike out lines 13 through 17 and insert the following:

"(3) To provide transportation for such workers from recruitment centers inside or outside the continental United States to such reception centers (or to places of employment in the case of domestic agricultural workers, including those of the continental United States, Hawaii, Puerto Rico, and the Virgin Islands) and transportation from such reception centers (or places of employment in the case of such domestic workers) to such recruitment centers after termination of employment."

Transportation costs is one of the prime considerations in recruiting an adequate farm labor supply. Our domestic farm labor force could be better distributed if the farm labor could be transported from one area to another within the United States with mobility. Air transportation costs from Puerto Rico to the mainland and return are in the neighborhood of \$120. Farm labor cannot adequately meet this expense if he is to return to Puerto Rico with savings at the end of his period of employment in the United States. Then too, we cannot expect the employer to bear all of this expense since those in the Northwest or Northeast would undoubtedly pay several times the amount that the employer in other parts of the country would have to pay. I have a subsequent amendment which will enable the Secretary of Labor to implement this program.

AMENDMENT 4

On page 3, line 10, after the word "under" it is proposed to insert "section 501 of."

On page 4, beginning with line 10, strike out through the word "available" in line 14 and insert in lieu thereof the following:

"Sec. 503. No workers recruited under section 501 of this title shall be available for employment in any area unless the Secretary of Labor has determined that (1) sufficient domestic, Hawaiian, Puerto Rican, or Virgin Islands workers who are able, willing, and qualified are not available and cannot be made available under the provisions of subsection (b) of this section."

On page 4, between lines 18 and 19, insert the following:

"(b) The Secretary of Labor shall take whatever steps may be necessary and proper to provide an adequate supply of domestic, Hawaiian, Puerto Rican, and Virgin Islands agricultural workers in the continental United States, Hawaii, Puerto Rico, and the Virgin Islands, including, among other things, (1) the collection, compilation, and dissemination of information relevant to farm labor, labor-deficit areas, and housing and working conditions; (2) the recruiting, training, and placement of workers; (3) the transportation of, and the furnishing of housing, and health and medical care, and burial services to workers and their families; and (4) the construction, lease, repair, alteration, relocation, expansion, and operation of labor-supply centers, labor camps and homes, child-care centers, and other necessary facilities and services."

There is no doubt in my mind that the Secretary of Labor could do a more efficient

job of recruiting and supplying farm labor if he were directed by statute to do so. Only when a person has a definite outline of his duties and responsibilities can he be protected from unjust criticism that he is not properly executing the duties of his office. Provisions of this amendment clearly outline these duties and responsibilities to be executed by the Secretary of Labor and they are in conformity with the recommendations made by interested groups and, in substance, the recommendations of the report of the President's Commission on Migratory Labor.

I have every reason to believe that this will be a great step forward in the administration of our farm-labor problem.

AMENDMENT 5

After section 509 it is proposed to insert the following:

"Sec. 510. Notwithstanding any provisions of law conferring similar benefits upon them, American Indians who are recruited for employment as farm workers shall be entitled to the protection and benefits of this act to the same extent and effect as other farm workers."

The protection of the social and economic welfare of the American Indians should be our paramount consideration in any legislation before this body. I have been told by the United States Employment Service that throughout the United States thousands upon thousands of American Indians would be available for farm labor if given decent wages and living conditions. The American Indian dislikes charity as much as any of us. The American Indian is a proud person. He feels that he survived without governmental relief for centuries. Today he is asking an opportunity to regain that self-reliance and economic freedom which he enjoyed for so many centuries. Many of our Indian farm laborers have been treated in such un-American ways by certain employers that I feel we should take special pains to afford them protection.

AMENDMENT 6

At the end of the bill it is proposed to add the following new sections:

"Sec. —. The Secretary of Labor shall authorize placement of workers recruited or transported under this act, whether United States citizens or aliens, only after the employer agrees with respect to such workers (1) to pay not less than prevailing wage rates set for the crop and area by the National Farm Labor Board pursuant to this act; (2) to pay such workers their wages in legal tender at the end of each week, or at the end of a customary payroll period not exceeding a semimonthly interval; (3) to provide employment for each such worker for not less than 75 percent of workdays (as defined by the Secretary and the employer in conformity with industry practices) falling between the beginning and end of each such worker's employment by such employer; (4) to cause any housing, subsistence, transportation, or other goods or services furnished such workers by the employer to conform to such standards as the Secretary may establish; and (5) to comply with all applicable Federal, State, and local laws relating to employment, to elect to cover such workers by State or local workmen's compensation laws if such laws permit such election, to obtain insurance to protect such workers in case of occupational accidents or diseases if coverage by compensation laws cannot be obtained, and to pay all expenses for hospital, medicines, and medical attention necessitated by occupational accidents and diseases. Insurance required pursuant to this section shall provide benefits no less favorable than those set out in the following schedule:

Accidental death.....	\$1,000
Loss of—	
Both hands.....	1,000
Both feet.....	1,000
Sight of both eyes.....	1,000
One hand or one foot.....	1,000
One hand and sight of one eye.....	1,000
One foot and sight of one eye.....	1,000
One hand or one foot.....	500
Sight of one eye.....	500
Total loss of a digit.....	50
Partial loss of a digit.....	25

"Sec. —. The Secretary of Labor shall take such action as may be necessary to insure himself that employers perform agreements entered into by them under the act; that workers receive the wages due them without any unwarranted deduction therefrom, or restriction upon the expenditure thereof; and that any housing, subsistence, transportation, or other goods or services furnished by employers shall conform to the standards established by the Secretary.

"Sec. —. A National Farm Labor Board, consisting of three representatives of agricultural employers, three representatives of agricultural workers, and three representatives of the general public, shall be appointed by and serve at the pleasure of the Secretary of Labor. Such Board shall, after public hearings in particular areas with respect to particular crops, determine the need for agricultural workers in such areas for the production of such crops, and the prevailing hourly, daily, piecework, and other wage rates and other conditions of employment applicable to such crops in such areas. The Board may delegate any of its functions to any of the employees of the Department of Labor. Members of the Board shall be compensated in accordance with the Classification Act of 1949.

"Sec. —. An advisory committee shall be established, composed of representatives of the Interstate Commerce Commission, the Department of Agriculture, the Federal Security Administration, Department of the Interior, Selective Service, and of such other departments, agencies, and organizations and such individuals as the Secretary of Labor may deem advisable. The committee shall advise the Secretary, upon his request, on housing, health, education, and vocational training, subsistence, and transportation standards and problems, and such other matters in connection with the program as the Secretary may see fit. The members of the committee shall receive no compensation for their services as committee members."

SECTION A

Strange as it may seem to my fellow Members of the Senate, Mexican nationals imported for farm labor under contract are today enjoying better working conditions and benefits than our own domestic farm workers who are United States citizens.

Realizing that every Senator present is ever conscious of his oath of office, I have every confidence to believe that in this hour of national emergency we are not going to forget the first responsibility imposed on us lawmakers by our beloved Constitution, that the welfare of our own people, yes, the welfare of United States citizens, should be uppermost in all our actions.

Gentlemen, I say that we should never adopt any legislation which would place the foreign worker imported for temporary farm labor on a higher standard than our own workers who are United States citizens.

The amendment which I am offering does not exceed the working conditions and benefits which now exist in our present agreement with Mexico. I have simply duplicated those conditions and benefits in this amendment. Let us not forget our duty to the United States citizen who is a farm laborer.

SECTION B

The creation of a National Farm Labor Board is consistent with the report of the President's Commission on Migratory Labor. This board is the practical approach to the many arguments on the part of the growers and the workers that they are mistreated by our governmental officials in the matter of regulations, wages, and standards. This Farm Labor Board would conduct hearings throughout the United States, and could render just and equitable decisions on matters involving supply of labor, prevailing wages, and working conditions. It would be composed of nine members, three representing the employer, three representing the agricultural worker and three representing the public interest. I believe that such a board would be the vehicle whereby we would have greater uninterrupted production of our agriculture production. The board would be appointed and serve at the pleasure of the Secretary of Labor. It would not duplicate any of the functions now exercised by that department, but would add to and strengthen those functions.

SECTION C

For years various reports, including the report of the President's Commission on Migratory Labor, recently issued, have stressed the imperative need for a concentrated and coordinated attack on the farm labor problem by the various governmental agencies who are directly engaged in improving its unfavorable aspects.

Private enterprise has found the technique of established advisory committees very profitable. Government agencies have on many occasions found interdepartmental boards to be likewise effective, not only in rendering better service but in reducing administrative costs considerably.

I, therefore, propose with the following amendment the creation of an advisory committee that will advise the Secretary of Labor periodically on the best procedures to follow in the solution of this complex problem.

AMENDMENT 7

At the end of the bill it is proposed to add the following section:

"Sec. 511. Section 2 (3) of the National Labor Relations-Management Act of 1947 is amended by striking out the following: 'as an agricultural laborer, or'."

The position of agricultural labor today is approximately the same as that of industrial labor prior to World War I. Wages were low; working conditions were worse, and the owners of industry were importing thousands of European workers for exploitation in the mines, mills, and factories. At that time there was no protection for the right of industrial workers to organize and bargain collectively with their employers. The Labor Relations Act makes it possible for industrial workers to bargain with their employers, and today unions perform a great service to both employee and employer.

However, the authors of the original national labor relations law, the Wagner Act, saw fit to exclude from its benefits and responsibilities employees in large scale commercialized agriculture. This exclusion was carried over into the present Labor Management Relation Act.

In presenting this amendment I wish to correct an injustice of long standing and to bring to employees of the 125,000 large scale farms which are in reality "factories in the fields" the benefits of a law which is applied to all other types of workers in America. There are 1,000,000 workers employed on these large-scale farm operations. The large scale farm operators are in competition with our small family size farmers who are the backbone of American agriculture.

AMENDMENT 8

On page 3, line 23, it is proposed to strike out "\$20" and insert "\$200."

In supplying farm labor necessary for the production of food and fiber crops in the defense emergency one of the prime considerations is the cost of recruitment and transportation. Our domestic labor supply could be better distributed if workers could be transported from one area to another under a cooperative arrangement between the Government and the employers of such workers. S. 984 provides that employers shall pay the Government \$20 for each worker imported into the United States. That figure is based on the actual cost of transportation from recruitment centers in Mexico to the port of entry on the Mexican border. What about the employers of such labor in the Pacific Northwest or the sugar-beet fields of Michigan? What about the 150,000 Puerto Rican workers who are available for employment in the continental United States? The actual cost of transportation of Puerto Ricans to New Jersey is about \$120 round trip. This provision either means that employers will be subsidized from the Public Treasury or there will be no labor sent to points within a few hundred miles of our southern border. I, therefore, propose an amendment which would require employers to reimburse the Government the actual costs of such transportation and subsistence not to exceed \$200.

AMENDMENT 9

On page 7, line 15, it is proposed to strike out "1952" and insert in lieu thereof "1951."

Proponents of this legislation have repeatedly stated that this is primarily an emergency or stop-gap measure to enable our Government to renew its existing agreement with the Republic of Mexico for the importation of Mexican nationals for farm labor.

While this particular measure was being considered by various members of the Senate, the report of the President's Commission on Migratory Labor was issued. This long overdue study, thorough and practical in its approach to the problem, points very clearly to the need for extensive revision of present policies and administrative procedures to effectively solve this blight of our private enterprise system.

Sound and effective legislation cannot be realized in the short space of time which the proponents of this measure had at their disposal. We know from personal experience that any measure conceived and nurtured in the short span of weeks cannot long solve one of the most pressing national problems.

Congress should immediately begin extensive hearings to solve this farm-labor problem on a permanent and sound basis. Therefore I offer the following amendment to limit the life of this legislation to December 31, 1951.

Mr. CHAVEZ. Mr. President, I ask unanimous consent to have inserted in the RECORD several telegrams I have received indicating opposition to the pending bill.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

SANTA FE, N. MEX., May 1, 1951.
United States Senator CHAVEZ,
United States Senate,
Washington, D. C.:

Would appreciate your amending Ellender bill. We favor establishment better working conditions for all agricultural workers and better organization.

Archbishop EDWIN V. BYRNE.

CORPUS CHRISTI, TEX., May 1, 1951.

DENNIS CHAVEZ,
Care White House,
Washington, D. C.:

Oppose cheap foreign labor. Undermines local labor. Only big boys profit at expense of displaced local Latin-Americans.

Dr. J. A. GARCIA.

SAN ANTONIO, TEX., April 30, 1951.
Senator CHAVEZ,

United States Senate,
Washington, D. C.:

Lulacs of San Antonio endorse your stand opposing authorization of imported Mexican labor. Texas labor cheapen by importing aliens.

LULAC COUNCIL OF SAN ANTONIO.

TAOS, N. MEX., April 30, 1951.
Senator DENNIS CHAVEZ,

United States Senate,
Washington, D. C.:

We are not in favor of Senate bill 984 as originally introduced. Please endeavor to amend same.

CORONADO PHARMACY.

ESTANCIA, N. MEX.
Senator CHAVEZ,
Washington, D. C.

Dear SENATOR: We are opposed to the Ellender bill. Thank you for your stand on this bill.

J. C. SANCHEZ.

TAOS, N. MEX., April 30, 1951.
Senator DENNIS CHAVEZ,

Washington, D. C.:

Please endeavor to amend Senate bill 984. Present bill is detrimental to our laboring people in New Mexico.

MARCELINO MARTINEZ,
J. P. RAEI QUESTA.

Mr. CORDON. Mr. President, I call up my amendment designated "M," and ask that it be stated.

The PRESIDENT pro tempore. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 2, it is proposed to strike out lines 7 to 12, inclusive, and insert in lieu thereof the following:

(2) to establish and operate reception centers in the continental United States for the purpose of receiving and housing such workers while arrangements are being made for their employment in, or departure from, the continental United States: *Provided*, That such reception centers shall be distributed geographically so as to provide, as far as practicable, equality of costs and opportunity of obtaining such workers in the areas where the Secretary finds need therefor to exist.

Mr. CORDON. Mr. President, first I wish the RECORD to show that my colleague [Mr. MORSE], the Senators from Washington [Mr. MAGNUSON and Mr. CAW], the Senators from Idaho [Mr. DWORSHAK and Mr. WELKER], and the senior Senator from Utah [Mr. WATKINS] associate themselves with me as cosponsors of the amendment.

Mr. President, the hour grows late. I do not believe it is necessary to make an extended statement with respect to the amendment. The senior Senator from Utah [Mr. WATKINS] has heretofore discussed the matter in some detail. My colleague has also discussed it, as have other Senators. Under the circumstances, I wish to assure my colleagues

that I shall take very little time in presenting the amendment to the Senate.

First, I invite attention to statements made by the chairman of the Committee on Agriculture and Forestry, when he presented the bill for the committee. He indicated that my proposal had been before the committee, but that there was no particular support for it, and therefore the committee did not give it full consideration. I do not quite understand that suggestion, in the light of the hearings themselves.

Let me say that the amendment would provide for the recruitment of Mexican nationals in Mexico and for their transportation to reception centers in the United States, not simply across the border from Mexico, but within the continental United States, at such points as in the opinion of the Secretary of Labor need for such workers shall be shown to exist, and at such points as in the opinion of the Secretary of Labor would serve to equalize the costs of the labor and its availability to American agriculture throughout the 48 States. The number of reception centers is a matter for the sound discretion of the Secretary of Labor. Their location rests within the discretion of the Secretary of Labor.

The reason for the amendment rests in the vast distances within continental United States from any point along the border between the United States and Mexico. It rests in the fact that the need for the proposed legislation arises from the circumstance that, in the present emergency, labor ordinarily available to agriculture in various sections of the United States is not available because it has been drained off by war enterprises. It rests in the fact that industrial wages are higher than agricultural wages. It rests in the fact that the Department of Agriculture, which was created as the representative of agriculture in the United States, and which speaks with authority to agriculture, has called upon agriculture in this year for extraordinary agricultural production. That extraordinary production is an additional call on agricultural labor, which would be insufficient to meet the needs of agriculture even were there no increase in production.

This subject was before the Committee on Agriculture and Forestry. I call attention to the fact that the committee had before it, from the Pacific Northwest, Mr. Ernest Falk, manager of the Northwest Horticultural Council, who discussed this very question in detail. In his testimony he indicated that the cost of Mexican labor in the Pacific Northwest to the farmer would be \$2 per man per day in excess of the cost of local agricultural labor in the area. Undoubtedly the same ratio would prevail in other areas of the United States. That added cost must be borne by agriculture. Agriculture cannot afford that type of discrimination and continue to produce.

In addition to the statement of Mr. Falk before the committee, Mr. Fred Bailey, legislative consultant of the National Grange, appeared before the committee and called attention time and again to the inequities of the situation which would prevail if under the terms of

the bill foreign labor were brought only to the Rio Grande and there had to be taken over by the prospective employers. The total transportation costs to and from the border reception center would be borne by agriculture.

Mr. Bailey advised the committee that it was the policy and position of the Grange that equity should be done in this matter. He suggested the type of thing which is embodied in the amendment which we of the Pacific Northwest present today.

Among other things, Mr. Bailey said to the committee—and I quote from page 53 of the hearings:

We hope that the committee will weigh carefully our suggestion for the establishment of recruiting centers for foreign workers at a limited number of interior points, with an equitable apportionment of costs.

That statement was made again and again, and I shall not burden the Senate by repeating it.

Mr. Clarence J. McCormick, Under Secretary of Agriculture, appeared before the committee and also went into this subject in detail. He called attention to the increased production requested of the farmers by their Government through the Department of Agriculture.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. CORDON. I am happy to yield to the Senator from Vermont.

Mr. AIKEN. The Senator from Oregon has been presenting the case very well. I wonder if he knows that the Labor Department indicated a desire to establish a great many roadside camps for migratory farm labor throughout the country. This led to considerable apprehension on the part of the committee that we would have such a series of tourist camps for migratory labor that they might spend a good deal of the time traveling, if they could be accommodated at cost every 200 or 300 miles. I wonder if the Senator had considered limiting the number of reception centers so that there would be no danger of the Labor Department undertaking to establish an elaborate system of tourist camps for migratory labor all over the United States. I do not think we need more than three or four reception centers. But if we were to provide from six to ten, I think that would safeguard the situation.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. CORDON. I am happy to yield.

Mr. McFARLAND. I understand that it will require some time to complete consideration of the distinguished Senator's amendment. The Senator from Louisiana [Mr. ELLENDER] has stated that he wishes to speak at some length on the amendment. Does the Senator wish to proceed, or would he rather suspend until tomorrow?

Mr. CORDON. I am happy to yield to the desire of the majority leader. I ask unanimous consent, if we do suspend now, that I may have the floor when the Senate reconvenes tomorrow, inasmuch as I have begun my discussion. I assure the Senator that I shall not take very long.

Mr. McFARLAND. I have no objection to that.

The PRESIDENT pro tempore. Is there objection to the Senator from Oregon retaining the floor tomorrow?

Mr. CHAVEZ. Mr. President, I should like to comply with the Senator's request but I think I have cooperated to a great extent by withdrawing my amendments after taking a terrible beating. I do not see why we cannot go along and pass the bill. It is a good bill.

Mr. WHERRY. Mr. President, the amendment of the Senator from Oregon is under consideration. He is arguing it now. All that the majority leader is asking is that the Senate take a recess until tomorrow, and that the Senator from Oregon be permitted to continue the explanation of his amendment. This is not a request for a limitation of debate, or for a vote at a certain time.

Mr. CHAVEZ. I think the Senator's amendment is so good that I would be willing to vote on it now, or continue to work on it. I am for it.

Mr. McFARLAND. I think it would require some time, and involve an evening session. Not having given notice of an evening session, I do not feel that we should do that.

The PRESIDENT pro tempore. What is the pleasure of the Senate?

PROPOSED APPOINTMENT OF JOINT COMMITTEE TO INVESTIGATE UNITED STATES POLICIES IN THE FAR EAST

Mr. McFARLAND. Mr. President, I should like to make another inquiry. The distinguished Senator from Michigan [Mr. FERGUSON] submitted Senate Concurrent Resolution No. 25 on April 17, 1951. I had thought that before this time the Senate would have finished consideration of the pending bill and could adjourn so that there could be a morning hour, and the resolution could be considered and acted upon. It would do no good to adjourn until tomorrow unless we would obtain a unanimous-consent agreement to vote on his resolution before 2 o'clock.

If I may have the attention of the Senator from Oregon [Mr. CORDON], he may be interested in what I am about to say. In order to find out whether it would be possible to dispose of the concurrent resolution before the hour of 2 o'clock, I ask unanimous consent that the Senate vote on Senate Concurrent Resolution 25 at 2 o'clock tomorrow.

Mr. CHAVEZ. Mr. President—

Mr. CORDON. Mr. President, may I ask what the resolution is?

Mr. CHAVEZ. Suppose the majority leader tells us about it.

Mr. McFARLAND. It is a resolution providing for the appointment of a joint committee to investigate United States policies in the Far East.

Mr. CHAVEZ. Mr. President, I would like to comply with that suggestion, but I remind the Senate that the unfinished business, which is a bill affecting American labor, is important. So I shall object.

Mr. McFARLAND. Then I see no purpose in adjourning. I may say to the distinguished Senator from Michigan, because without a unanimous-consent

agreement I am sure we could not finish consideration of the concurrent resolution in the 2 hours time, and we would only waste the 2 hours. So it will be my purpose to move that the Senate take a recess.

Mr. FERGUSON. I will press for an adjournment at a later time. If there is objection, of course, we cannot proceed.

Mr. McFARLAND. I will say to the distinguished Senator that I had thought we would finish action on the unfinished business on yesterday, or by tonight, and that we could then take up the concurrent resolution submitted by the Senator from Michigan. I was not trying to keep him from having it taken up for consideration. I want the Senator to understand that.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. CORDON. I yield.

Mr. WHERRY. I wonder if the distinguished Senator from New Mexico would withhold his objection. I think the majority leader made the situation plain, and I have no doubt the Senator from New Mexico understood him. Unless the concurrent resolution is brought up by tomorrow and voted upon time will run against it. It was the desire of the distinguished Senator from Michigan that the committees that were to hear the witnesses on the question of our national-defense policy and our policies in the Far East, should be of a bipartisan nature, composed of an equal number of Democrats and Republicans, named from the Armed Services Committee, the Foreign Relations Committee, and the Appropriations Committee.

Mr. CHAVEZ. I should like to suggest that I believe we can complete action on the pending bill as well as the concurrent resolution submitted by the Senator from Michigan if we continue in session tonight.

Mr. McFARLAND. We can pursue that tomorrow.

Mr. CHAVEZ. Why pursue it tomorrow?

Mr. McFARLAND. Unanimous consent has already been obtained for two committees to proceed. We will see what can be done by tomorrow.

Mr. CHAVEZ. Mr. President, it appears to me that my good friend the majority leader wants to expedite business. We all want to expedite business. There is only one controversial amendment pending in connection with the bill, and that is the amendment of the Senator from Oregon [Mr. CORDON]. Why can we not conclude this bill tonight? I am quite sure that the Senator from Louisiana will agree that we should endeavor to complete action on the bill tonight, and then proceed with the other business.

Mr. ELLENDER. Mr. President, I understand that 30 amendments have been sent to the desk. Only two amendments have been disposed of, and the only amendments which have been withdrawn are those which were submitted by the distinguished Senator from New Mexico. If the only amendment to be considered tonight is that of the distinguished Senator from Oregon, of

course, we could get through with the bill this evening. But let us not forget that there are 17 more amendments at the desk. I believe the distinguished senior Senator from New Mexico had 10 of the 25 amendments that were submitted.

Mr. CHAVEZ. Yes, I had 10.

Mr. ELLENDER. As I recall, 30 were submitted. If the Senator from New Mexico has withdrawn his 10, and two have been acted upon, that would leave 18 to be considered, including the one which is now under discussion.

Mr. CHAVEZ. I will tell my good friend that the only controversial amendment is that of the Senator from Oregon.

Mr. McFARLAND. Mr. President, I appreciate the cooperation of the Senator from New Mexico. He could have taken time to present each and every one of his amendments. He has cooperated in expediting action upon the bill.

Mr. WHERRY. Mr. President, will the Senator from Oregon yield?

Mr. CORDON. I yield.

Mr. WHERRY. Does the majority leader feel that it would be agreeable to have the Senate convene at 11 o'clock tomorrow, thus saving an hour in that way, and consider the concurrent resolution until 1 o'clock and then vote on it?

Mr. McFARLAND. I have a committee hearing I must attend in the morning. It has been my experience, furthermore, that we do not gain much by meeting at 11 o'clock.

Mr. CHAVEZ. There is not a Senator present who does not understand the amendment of the Senator from Oregon. Why can we not at least vote on that amendment and get through with it. I am sure that would result in limiting the debate on the other amendments. Why can we not do that? Every Senator is for it.

Mr. CORDON. The Senator from Oregon is perfectly willing to have a vote on his amendment this evening and is perfectly willing to cut short his statement so a vote on the amendment can be had soon. However, I believe the Senator from Louisiana [Mr. ELLENDER] desires to debate the amendment from the other viewpoint. If that is the case debate will probably continue until some time in the evening. That would be my guess. I am in the hands of the Senate. It is wholly immaterial to me whether the Senate remains in session to discuss the amendment or does not.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. CORDON. I yield.

Mr. CHAVEZ. The question is simple. The Senator from Louisiana, who is sponsoring the bill, wants the centers, or the concentrations—I call them concentrations because that is what they are; they are not reception centers; they are concentration centers—to be on the Mexican border. The amendment of the Senator from Oregon would provide for such centers elsewhere in addition to those on the Mexican border. So the question is a simple one. If Senators want them to be on the Mexican border

only they will vote against the amendment of the Senator from Oregon. If Senators want them to be located throughout the country so they might help, for example, the beet growers in Michigan, and the growers of string beans and tomatoes in the State of my good friend from Delaware, then Senators will vote for the amendment of the Senator from Oregon. If Senators want the concentration centers to be only on the Mexican border, they can vote in line with the proposal of the Senator from Louisiana. If they want them to be located all over the United States, as they should be, they can vote for the amendment offered by the Senator from Oregon.

Mr. CORDON. Mr. President, I am happy to have this informal discussion going on, without yielding to Senators. I ask unanimous consent that I may yield for further discussion, so we may reach a decision on this point.

Mr. McFARLAND. I thought the Senator was going to yield for the purpose of recessing. I do not think it is fair to Senators to keep them here after 6:30 or 7 o'clock unless I have given notice in advance that we would have a night session. I have not held Senators here until a later hour without giving notice. I sometimes remain myself in order to accommodate Senators who want to make speeches sometimes as late as 7:30 or 8:30 o'clock. We remain in session as long as we have now remained more often than not. But unless notice has been given in advance I do not think it is fair to hold the Senate in session later than this.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CORDON. I yield.

Mr. DOUGLAS. Mr. President, first I want to pay tribute to the senior Senator from New Mexico for the fine fight he has made on the bill. I know he perhaps feels discouraged at the reception which his initial amendment received, but I think the vote on that amendment does not measure the true opinion of the Senate on the other amendments which he offered. In particular I regret that he withdrew the amendment providing penalties for violation of the immigration laws in bringing wetbacks into the United States. I think perhaps the penalties which he proposed may have been too severe, since there was provision both for a maximum fine of \$2,000 and for imprisonment for a term not to exceed 5 years. But in the form of alternative penalties of somewhat lesser amount it would seem to me that the amendment would commend itself to the Senate. So, I hope very much that the Senator from New Mexico will reconsider his determination to withdraw the amendment, and will now be willing to offer it so that we may debate and vote upon it tomorrow.

I wish to say that I think the Senator from New Mexico has rendered a public service of the first magnitude, and all of us honor him for the very brave fight he has made during this week. If he will reconsider offering the amendment, with perhaps a slight change in

Page 3

DIGEST

OF

CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Division of Legislative Reports
(For Department staff only)

Issued May 3, 1951
For actions of May 2, 1951
-82nd-1st, No. 79

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HIGHLIGHTS: Senate debated farm-labor bill. House passed Interior appropriation bill, reducing funds for electric projects and reclamation. Senate committee urged that meat-price order be rescinded. Rep. Hoeven predicted meat shortage because of recent price order. Senate committee submitted study on effect of price supports upon retail food prices.

SENATE

1. **FARM LABOR.** Continued debate on S. 984, providing for importation of farm labor from Mexico, discussing a Cordon amendment to provide that reception centers for foreign workers be distributed geographically according to need (pp. 4829-46, 4866-71).
2. **PRICE CONTROL.** The Agriculture and Forestry adopted a resolution urging that the OPS meat-control order "be rescinded without delay" (p. 4827).
Sen. Thye read a telegram from the St. Paul Livestock Exchange stating that the meat order has caused a "rush of immature and partially finished cattle" in the market and that this will cause a beef shortage (p. 4859).
3. **PRICE SUPPORTS.** The Agriculture and Forestry Committee submitted a study on "Farm Price Supports and the Retail Price of Food Since World War II," stating that price supports have helped to stabilize the cost of food. (This report was printed in the Record but presumably will not be printed as a separate report or document.) (pp. 4826-7.)
4. **MEAT PACKING.** Sen. Ellender read the findings of the Agriculture and Forestry Committee on "operating costs and profits in meat packing industry" (pp. 4825-6).
5. **BOXCAR SHORTAGE.** Sen. Carlson commended ICC and the railroads for the recent improvement in the boxcar situation regarding transportation of grain (p. 4825).
6. **PERSONNEL; EXPENDITURES.** The Joint Committee on Reduction of Nonessential Federal Expenditures submitted its report on "Federal Personnel in the Executive Branch, February-March 1951, and Pay, January-February 1951" (pp. 4821-4).
7. **RECLAMATION.** Received a Calif. Legislature request for sale of Bureau of

Reclamation water to the San Joaquin Valley in order to avert a drought (pp. 4820-1).

8. LEGISLATIVE PROGRAM. Majority Leader McFarland announced that the calendar will be called May 4 (p. 4829).

9. PURCHASING. Received a report from the Attorney General based on a survey of Government procurement since the Korean hostilities; to Banking and Currency Committee (p. 4820).

The report of the Joint Committee on Reduction of Nonessential Federal Expenditures regarding "emergency agency overhead" (see Digest 76) discusses furniture purchases by ESA and recommends: "that immediate steps be taken by the legislative and executive branches to preclude nonessential purchases, use of most expensive furniture where less costly items will do, and to preclude abuses of Government contract purchase requirements in the name of emergency." The report then quotes a letter from GSA agreeing with the recommendation and expressing the belief that its regulation of Mar. 27, regarding conservation of all types of furniture in short supply, will contribute toward this end.

10. TRADE AGREEMENTS. H. R. 1612, to extend the Trade Agreements Act, as reported by the Finance Committee (see Digests 75 and 76) contains a revised section 8 which would authorize the President, upon recommendation of USDA and the Tariff Commission, to take action to relieve an emergency situation with regards to imports in connection with perishable agricultural commodities.

HOUSE

11. INTERIOR DEPARTMENT APPROPRIATION BILL, 1952. Passed with amendments this bill, H. R. 3790 (pp. 4786-811). The following amendments, among others, were agreed to before final passage of the bill:

By Rep. Gary, Va., deleting language providing \$3,400,000 for construction by Southeastern Power Administration, by a vote of 248-149 (pp. 4805-6).

By Rep. Harris, Ark., reducing by \$550,000 the funds for construction by Southwestern Power Administration, by a vote of 222-173 (p. 4806).

By Rep. Short, Mo., to prevent the use of funds for developing the western Missouri project, by a vote of 247-152 (pp. 4806-7).

By Rep. Ford, Mich., cutting \$5½ million from funds allotted for construction by Bonneville Power Administration, by a vote of 225-167 (pp. 4807-8).

By Rep. Pickett, Tex., cutting \$800,000 from the funds for management of public lands and to earmark \$1,200,000 for use in soil and moisture conservation, by a vote of 249-143 (pp. 4808-9).

By Rep. Wigglesworth, Mass., reducing from \$5 million to \$4 million the funds for general investigations by the Bureau of Reclamation (p. 4809).

By Rep. Taber, N. Y., reducing by \$10 million the funds for construction and rehabilitation of reclamation projects, by a vote of 237-160 (p. 4809).

By Rep. Keating, N. Y., preventing the use of funds to construct power transmission facilities where wheeling service contracts have been entered into, by a vote of 226-165 (pp. 4809-10).

By Rep. Jensen, Iowa, permitting the filling of only 25 percent of the vacancies that occur in the Department in 1952, with certain exceptions, by a vote of 224-169 (pp. 4810-1, 4798-803).

By Rep. Williams, Miss., to reduce by \$265,000 the funds for salaries and expenses, Office of the Secretary, by a vote of 59-46 (pp. 4792-3).

By Rep. Smith, Wis., to prohibit the use of departmental funds for publicity or propaganda purposes not already authorized by Congress (pp. 4796-8).

By Del. Bartlett, Alaska, to remove a provision prohibiting the payment of a higher rate of pay for Federal employees outside the continental U. S. than for those doing comparable work within the continental limits (pp. 4794-6).

Mr. HOLLAND. I should like to ask the Senator whether it is not true that, under the proposed program the people of the District of Columbia, by their qualified electors, would be given the right to choose the members of their school board, who have the government and control and supervision of the public schools of the District of Columbia?

Mr. NEELY. That is certainly true.

Mr. HOLLAND. Is it not also true that, under the present law, citizens of the District have nothing whatever to do with the selection of the members of their school board?

Mr. NEELY. Not a bit more than have the voters of Florida or West Virginia.

Mr. HOLLAND. Is it not also true that they have nothing to do, by way of selecting the school-board members, with the administration of the public school system which they support by their taxes, and to which they furnish the pupils from the children of their families?

Mr. NEELY. That is absolutely correct.

Mr. HOLLAND. Will the Senator yield for one more question?

Mr. NEELY. Yes, indeed.

Mr. HOLLAND. Does the Senator know of any other area within the continental limits of the United States where the citizenry are reduced to such a situation that they have no voice whatever over the matter of their school system or its control, or the control, through elected officials, of the selection of teachers and others who, for so many hours a day, or for most of the year, have the supervision and training of their children?

Mr. NEELY. There is not another place in the United States whose citizens suffer such degradation. In my opinion, aside from Russia and its satellites there is no civilized country in the world where such a condition obtains.

Mr. HOLLAND. I thank the Senator. I hoped that he would deal with this problem, because it seems to me that the matter of control of the public-school system is something in which citizens should have some say, and perhaps the most abject difficulty under which the citizens of the District of Columbia now try to exist is the complete denial of any voice whatever in connection with their public school structures and systems, or the personnel or the conditions under which their own children are subjected to education under the public-school system of the District.

Mr. NEELY. I read further from Dr. Galloway's testimony:

Three years ago the Washington Post conducted a scientific poll on this question which showed that 70 percent of the people of Washington were in favor of local self-government.

It is further argued that not only do the people here want it but that the Nation at large wants the District to have home rule. A Gallup poll a couple of years ago showed that 77 percent of the people in the Nation at large favored it.

Moreover, many leading newspapers have endorsed it editorially.

They also remind us that President Truman himself endorsed this very bill now before your committee and urged its passage in a letter to the Speaker of the House on July 25, 1949.

One of the principal arguments that is frequently made by the advocates of home rule is that its adoption would relieve Congress of an onerous councilmanic burden which it ought not to have to bear in these times when great issues of peace and reconstruction are pressing for its attention.

As it is, as you know, all District legislation must pass through both Houses of Congress, and there are 28 separate stages in the passage of law through the National Legislature, whereas elsewhere, local policies are made by the single act of a city council.

We know here that it takes an act of Congress to change the names of the streets or to save daylight time or to kill starlings or destroy weeds. It is argued that this state of affairs is not fair to the Congress, nor fair to the people of Washington, whose local needs tend to be neglected.

It is also argued that both of our great national political parties have promised suffrage to the District of Columbia residents. The platforms of your own party have contained home-rule planks, I think, since 1892.

The Democratic platform of 1948 stated: "We favor extension of the right of suffrage to the people of the District of Columbia." The Republican platform, in the same year, contained a similar statement.

The opponents of home rule have cast doubt upon the constitutionality of this legislation. They have questioned the constitutionality, for example, of the provisions of the bill which relate to the handling of legislative proposals of the District Council.

On the other hand, the advocates of the measure would invite your attention to the fact that the constitutionality of this bill has been upheld in written opinions submitted to the District Committees of Congress by the Attorney General of the United States, by House and Senate legislative counsel and that, sir, is a copy of their opinion, and by several eminent constitutional lawyers—

Mr. WHERRY. Mr. President, will the Senator yield for a unanimous-consent request in order that I may send to the desk an amendment, without the Senator's losing the floor?

Mr. NEELY. If that may be done without losing my right to the floor.

The VICE PRESIDENT. Is there objection?

Mr. McFARLAND. Mr. President, I object.

The VICE PRESIDENT. Objection is heard.

Mr. WHERRY. I simply wanted to offer a modification of the Watkins amendment. It will not be taken up at this time. I hope the majority leader will not object to my presenting a modification to an amendment already on the desk.

Mr. McFARLAND. The matter is not before the Senate, and it would not be in order.

Mr. WHERRY. I think it would be in order. I am not offering the amendment at this time.

Mr. McFARLAND. But it is not in order. The resolution to which the amendment relates is not before the Senate. I do not object to its being printed and lying on the table.

The VICE PRESIDENT. That is all that can be done.

Mr. McFARLAND. I do not object to that.

Mr. WHERRY. I want to thank the Senator from West Virginia for yielding.

Mr. FERGUSON. Mr. President, will the Senator from West Virginia yield so that I may ask unanimous consent that the resolution which would automatically follow the Senator's resolution may be brought up during the next few minutes?

Mr. NEELY. I am sorry, Mr. President, I cannot yield for that purpose.

The VICE PRESIDENT. The Senator declines to yield.

Mr. NEELY. Mr. President, I continue reading:

and by several eminent constitutional lawyers, including John W. Davis, Edward S. Corwin, and Arthur T. Vanderbilt—

I hope Senators will heed the names of these eminent lawyers who have stated that the bill, almost a counterpart of the Kefauver bill, was constitutional—including John W. Davis, Edward S. Corwin, and Arthur T. Vanderbilt—

Let me pause to say, Mr. President, that, in my humble opinion, John W. Davis' superior as a lawyer has never walked this earth.

The CHAIRMAN. Have we not heard that Mr. West, the corporation counsel, and the Commissioners, the day before yesterday decided, in effect, that this bill was not constitutional?

Mr. GALLOWAY. I noticed that some question had been raised by the Corporation Counsel. But, in reply, I would invite your attention to an opinion on the issue expressed by that eminent constitutional authority, Prof. Edward S. Corwin, of Princeton University who, in his recent book, *Understanding the Constitution*, has this to say on that very point: "The Constitution does not permit Congress to grant the citizens of the District of Columbia the right to vote in Federal elections, but there is no constitutional reason why they should not be allowed to elect their own local officials. At the present time, Congress, which has complete governmental powers over the District, spends a day every fortnight it is in session, passing city ordinances and serving as city council. From the viewpoint of both legislative efficiency and justice for the citizens of the District," concludes Professor Corwin, "such a system is indefensible and the demands for a larger measure of home rule are becoming ever more insistent."

Mr. President, may we have order? I think it is important that Senators hear this. If it were my work, I would not think so, but it is the work of eminent lawyers.

The VICE PRESIDENT. The Senate will be in order.

Mr. NEELY. Mr. President, I continue reading:

Advocates of home rule further contend that all other American cities enjoy local self-government, and they point out that all the other capital cities of countries outside the iron curtain, except Canberra, Australia, where the situation is unique, also have home rule.

It is further argued by the advocates of this bill that lack of local self-government in the Capital City of the world's greatest democracy, embarrasses the conduct of our foreign relations, and I think that has been brought to your attention already.

I have had the experience myself in recent years, since the late war, of addressing visiting delegations of Japanese and German officials from countries which we are engaged in attempting to democratize, and these officials have expressed amazement when they have learned that here in Washington the residents are not even permitted to vote for their own dog catcher.

Mr. President, I fear I am interrupting a conversation being held near me. I shall subside for a moment until it ceases.

The VICE PRESIDENT. The Senate will be in order.

Mr. NEELY. Mr. President, I continue reading:

Under the present form of local government—

If the Senator from Florida [Mr. HOLLAND] is present, I should like to invite his attention to this.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. NEELY. I yield for a question.

Mr. FERGUSON. The question is whether or not the Senator will yield, if he does not thereby lose the floor, so that I may ask for a vote on Senate Concurrent Resolution 25, which is now on the calendar, and which will remain there if there is a delay until 7 o'clock. The Senator from Michigan would like a vote on it tonight.

Mr. NEELY. Mr. President, I assure the distinguished Senator from Michigan, for whom I have the highest respect, that I should like to accommodate him. But I do not want the minds on the Republican side of the aisle to turn to another MacArthur hippodrome. I wish to keep their minds on self-government for people of the United States until the Republican and the Democratic sides of the aisle have redeemed their platform pledges.

SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO

The VICE PRESIDENT. The hour of 7 o'clock having arrived, the resolution of the Senator from West Virginia goes to the calendar, and the clerk will state the unfinished business, which comes automatically before the Senate.

The LEGISLATIVE CLERK. A bill (S. 984) to amend the Agricultural Act of 1949.

The VICE PRESIDENT. The question is on agreeing to the modified amendment submitted by the Senator from Oregon [Mr. CORDON] on behalf of himself and other Senators.

Mr. CHAVEZ. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, for the information of Senators on the measure now pending, Senate bill 984, a series of letters, telegrams, news articles, and editorials relating to many of the important issues involved in the bill.

There being no objection, the communications, news articles, and editorials were ordered to be printed in the RECORD, as follows:

[From Labor of February 10, 1951]

LABOR BARRED FROM SECRET PARLEY ON ALIEN WORKERS; SHOCKING "GAG" ASSAILED

Representatives of the labor movement were thoroughly aroused this week over the

shocking manner in which officials of the American and Mexican Governments handled negotiations for bringing an army of Mexicans from below the Rio Grande into this country to meet alleged "manpower shortages."

The story of what happened is one of the most extraordinary this paper has ever reported. Here are the high lights:

A fortnight ago leaders of labor learned that an American Government delegation was to meet secretly with officials of the Mexican Government in Mexico City to discuss lowering the bars for an influx of Mexicans into this country.

The Railway Labor Executives' Association, along with the A. F. of L. and CIO, asked the State Department to include labor representatives in the American delegation as observers or consultants, since the decisions reached would vitally affect workers in this country.

An absolute refusal came from the State Department. Whereupon the RLEA sent Frank L. Noakes, research director of the maintenance-of-way employees, down to Mexico City to keep an eye on the parleys. The A. F. of L. sent Ernesto Galarza of the National Farm Labor Union.

In Mexico City Noakes and Galarza recommended to the United States Embassy that at least machinery be set up for a formal exchange of information and proposals between the conferees and the labor representatives, so that the ideas of labor could be considered. Also, they asked that all agreements reached be made public, with no secret or confidential understandings. This fair suggestion was rejected.

Then something even more startling happened. The Mexican Government laid down a "gag rule," forbidding the press or anyone else to discuss the secret conferences for 7 days. Mexico City newspapers were "hoping mad" about the suppression, but were forced to submit.

Even worse, when major Mexican unions called a mass meeting, primarily to welcome Noakes and Galarza, the Government arrested the leaders, releasing them only after they promised to call off the meeting. The government contended such assembly violated its gag order.

"I never dreamed any democratic government would resort to such suppression," Noakes said. "Certainly, any future such conferences should be held in the United States where we still have freedom of the press."

"Also, we are shocked and angry at the action of our own State Department in barring labor from the conferences. You can be sure we are going to protest that action as hard as we can."

Noakes said he received only one assurance—that the Mexico City conferences were confined to the question of importing farm labor and would not take up admission of Mexicans for railroad work at this time. He said he was told rail labor would be consulted if and when the importation of railmen is considered.

Noakes stressed, too, that the railroad labor unions had only two objectives in mind in seeking participation in the parleys—one, "to safeguard standards of their members from being lowered by importation of unnecessary labor, and two, to see to it that the 'braceros' (Mexican migrants) will not be exploited in this country."

Even though the parleys dealt only with farm workers, "that does not lessen our interest in the problem," Noakes said.

He added that, in his report to the RLEA, he will urge that every possible assistance be given to the National Farm Labor Union in its effort to protect American agricultural workers from destruction of their wage and

working standards through importation of unnecessary foreign workers.

NATIONAL FARM LABOR UNION, AFL,
El Centro, Calif., April 30, 1951.

Senator DENNIS CHAVEZ,
United States Senate,
Washington, D. C.

DEAR SENATOR CHAVEZ: Those of us who are in the field in opposition to the corporation farmers appreciate very much the efforts you are making to stop the Ellender-Poage bill. With the hope that you may find in them additional facts to combat this bill, I am air mailing you today some photographs taken by my on April 21 in Hermosillo, Mexico.

These photographs show the conditions under which contracting of Mexican "braceros" was being carried out on that date. A detailed report on these conditions is now in the hands of President Mitchell of our union. This report, I am sure, will be available to you. I can add nothing to it at this time.

The Ellender-Poage bill takes these conditions for granted. If it becomes a law, we may expect this inhuman, irresponsible form of contracting to continue.

Neither Senator ELLENDER nor Representative POAGE nor any of the officials of the State and Labor Departments who composed the United States delegation that went to Mexico City last January can plead ignorance of this situation. I was sent to the negotiations that began on January 26, 1951, as a representative of the American Federation of Labor. It was our explicit purpose to show from the record that the conditions of contracting of "braceros" have degenerated to a level of international indecency; and to warn our delegation that these conditions would be repeated this year.

The responsibility for the situation in Hermosillo lies squarely at the door of the members of the United States delegation to the Mexico City negotiations. I am sure that if you make the facts known to the Members of Congress they will no longer sanction by law this nauseating betrayal of the good neighbor spirit.

You may be sure that we are ready to give you ample documented support in your opposition to this bill.

With appreciation, I remain,

ERNESTO GALARZA.

NEW YORK, N. Y., May 2, 1951.

Senator DENNIS CHAVEZ,
United States Senate, Washington, D. C.:

National Consumers League at meeting in New York adopted resolution yesterday endorsing efforts to amend Ellender bill to achieve improved standards of working conditions for all migrant workers, both domestic and imported.

ELIZABETH S. MAGEE,
General Secretary.

WASHINGTON, D. C., May 2, 1951.

Senator DENNIS CHAVEZ,
Senate Office Building:

The National Farmers Union commends you for your courageous and untiring efforts in the fight to maintain decent standards for agricultural workers. Your actions in fighting the feudal lords of agriculture who refuse to utilize underemployed American labor and who prefer a cheap imported labor supply are encouraging all of us whose faith remains in the family farm and not the factories in the field. You are also showing to the world that the American conscience and sense of fair play are still alive. Keep up the good work.

JAMES G. PATTON,
President of the National Farmers
Union.

ALBUQUERQUE, N. MEX., May 1, 1951.
 Senator DENNIS CHAVEZ,
 Senate Office Building,
 Washington, D. C.:

The board of directors of the New Mexico Farm and Livestock Bureau meeting at their regular quarterly meeting in Albuquerque May 1 wish to inform you that our organization of over 6,000 family members is strongly in favor of the passage of the Ellender farm-labor bill without amendments. New Mexico farmers and ranchers cannot produce the defense crops they have been urged to plant without an adequate supply of labor. Only source of qualified labor available to us is Mexican nationals. We urge your support in withdrawing amendments and supporting this measure. The board of directors, New Mexico Farm and Livestock Bureau: Henry Mallette, Las Vegas; John Gard, Gladstone Rosco, Fletcher Dexter, Russell Rogers, Artesia; R. C. Morgan, Portales; Andrew Chitwood, Clovis; Cecil Moon, Forrest; W. E. Overton, Yeso; J. C. Johnson, Tularosa; George Cureton, Lordsburg; Clarence Stringer, Berino; G. D. Hatfield, Deming; Floyd Lee, San Mateo; Alex Hare, Bloomfield; W. P. Thorpe, Las Cruces; Delmar Roberts, Berino; W. B. McAlister, Portales; Stephen L. Brock, Roy; Mrs. Frank Schulmeister, Albuquerque; and J. L. Augustine, Jr., Las Cruces.

J. L. AUGUSTINE.

GALLUP, N. MEX., May 1, 1951.
 Hon. DENNIS CHAVEZ,
 United States Senator,
 Washington, D. C.:

We members of the United Mine Workers of America, Local No. 7777, unalterably oppose the Ellender bill to import Mexican labor to the United States. It is only a subterfuge to import slave labor to be exploited for the benefit of a choice few. There is no intent to provide standard wages or decent living conditions. It is a fact that sufficient American labor is available among the Southwest Indians and other people of our country. Reluctance on the part of the labor profiteers to paying a living wage has kept this large labor reservoir of manpower idle. We respectfully petition you to oppose the Ellender bill.

RUDY COSTILLO,
 President.
 JERRY MARQUEZ,
 Secretary.
 BARTOLO BORBON,
 Treasurer.
 BEN THOMAS,
 Financial Secretary.
 WILLIAM GRIJALGA,
 Assistant Secretary.

TAOS, N. MEX., May 2, 1951.
 Senator DENNIS CHAVEZ,
 Senate Office Building,
 Washington, D. C.:

Canvass of majority of our 175 members reveals opposition to Ellender bill 984 unless your amendment is accepted. Best wishes.

TAOS CHAMBER OF COMMERCE,
 RUTH G. FISH, Secretary.

SAN ANTONIO, TEX., May 1, 1951.
 Senator DENNIS CHAVEZ, of New Mexico,
 Washington, D. C.:

We share your views in opposing the bill allowing the importation of Mexican farm labor for seasonal work.

F. E. SWALES,
 President, San Antonio Trades
 Council, A. F. of L.

FRESNO, CALIF., May 1, 1951.
 Senator DENNIS CHAVEZ,
 Senate Office Building,
 Washington, D. C.:

In behalf of California's 250,000 underemployed farm workers, the California organ-

ization of the National Farm Labor Union, AFL, extends deepest appreciation and gratitude for your valiant stand on the floor of the Senate April 27 with reference to foreign farm-labor importation.

W. A. SWEARINGEN,
 Fresno Area Representative.

[From Time magazine of April 9, 1951]

IMMIGRATION—THE WETBACKS

For years past, the armies of ragged, hungry men had come from all over Mexico, up the highways and the railroads, on foot under the burning sun. Drawn by the hope of the Yankee dollar, they swarmed to the border by the tens of faceless thousands. They milled briefly amid slinking dogs and neon-lighted stench of Mexicali, and then streamed, furtively and endlessly across the border into California.

Some of them paid smugglers \$10 to sneak them over the line in automobile trunks. But most simply walked to the east or west of the International Bridge, jumped across the narrow New River, crawled through holes in a 10-foot wire fence, and scrambled up to United States soil. They were the prey of countless enemies. Robbers had killed some of them. Disease killed many more. Sometimes the unwary died sneaking rides atop 12-foot hay trucks, which sped through 13-foot underpasses on the highways.

Desert trek: The sun killed many, too—although hundreds of them made incredible week-long treks across the barren Mojave Desert, carrying nothing to drink but a gallon jug of water, hiding under cactus by day and walking by night. Harassed immigration officials rounded them up in knots along the roads, in wholesale lots on farms, loaded them into yellow busses and took them back to Mexico. Last year 230,000 were caught in California alone. Most of them hustled back, were often caught again at the same job in the same field on the same day.

Last week the tide of illegal Mexican "wetbacks" flowed strongest into California's lush, hot Imperial Valley, where the harvest season was at its height. But they were crossing the Rio Grande into Texas, too; by autumn, immigration men estimate, more than a million wetbacks will have surged across the 2,000-mile border between the Pacific and the Gulf, hunting jobs as the Forty-niners hunted gold.

The phenomenon of the wetbacks is not new, but until World War II, it was not a large one. The war siphoned off agricultural labor, particularly low-paying, exhausting "stoop labor" along the lower Rio Grande, in New Mexico, Arizona, and California. The wetbacks rushed into the vacuum.

More came every year. In 1948 the United States and Mexican Governments tried to channel and control the migration, signed a series of pacts by which Mexico agreed to send labor crews across the border for specific jobs, and that the United States would guarantee them a prevailing wage, housing, and insurance. It was like making international agreements about locusts.

The Mexican migrants rebelled at delays and red tape. United States farmers, by and large, boycotted the agreement too. They had come to consider the wetbacks as a cheap, natural resource, as rightfully theirs as rain or good soil. Forced to choose between lawbreaking or paying legally imported Mexican Nationals a fair wage, many farmers chose, without hesitation, to break the law. After all, wetbacks would work—and are working—for as little as 20 cents an hour, a wage comparable to that skilled labor receives in Mexico. They do not argue, do not agitate, do not complain; if they do, they can always be turned in as border jumpers. Farmers have built good barracks for some, but others live wretchedly, taking shelter in caves or rude lean-tos, cooking in the fields, washing in irrigation ditches.

Last week the illegal wetback labor system did not lack for critics; many a citizen of the States involved not only cried, "Shame" at a condition which savored of slavery, but protested that the low-paid laborers were working the economic ruin of dozens of farming towns. In the Imperial Valley, 34-year-old Hank Hasiwar, organizer for the National Farm Labor Union, was not only agitating among the wetbacks (who, however, cannot become union members) and protesting to Congress, but also trying to unite merchants and businessmen against the system. But the wetbacks kept coming.

[From the New York Times of April 18, 1951]

MIGRANT LABOR

The report and the recommendations of the President's Commission on Migratory Labor contribute much-needed light and guidance on the many problems in this thorny area of American life. Systematically investigating each aspect of migratory labor in this country, the distinguished group appointed by the President has problem to the heart of the many difficulties facing these workers and has reached conclusions worthy of the most serious study by those, including Congress, who have authority to implement these recommendations.

At the nub of the disgraceful conditions surrounding employment of migratory workers in the United States is a complex of factors. The market for farm labor is largely disorganized, employing casual workers who are utilized far from fully. Migrant workers are used for the most part at seasonal peaks of labor needs, as at harvest time, on back-breaking manual jobs. Many of our domestic migrants have great difficulty in finding alternative industrial employment. Migratory workers have failed to achieve the strong unionization which has advanced the interests of other major groups of workers in this country. Social legislation in this country for the most part excludes farm workers from its protection and benefits.

The President's Commission directs its recommendations towards many of these specific problems. It suggests that a Federal Committee on Migratory Farm Labor be formed to coordinate both governmental and private activity in this field. It urges that domestic workers be used to a maximum extent and that foreign workers be imported only when an actual farm-labor shortage exists. Sweatshop conditions on farms should be fought by requiring licenses for those who move workers across State lines and by having the United States Employment Service gather written descriptions of employment and housing conditions from farmers seeking workers through that agency. These and other important suggestions strike at the roots of the unhealthy conditions now plaguing Americans who are migratory workers. It is high time that effective action be taken to translate those suggestions into legislation and action.

[From the New York Times of March 27, 1951]

PUERTO RICO OFFERS LABOR

SAN JUAN, P. R., March 26.—Labor Commissioner Fernando Sierraberdia told an Agriculture Subcommittee of the House of Representatives today that Puerto Rico could furnish from 50,000 to 100,000 experienced agricultural workers to the United States for July-to-December work.

The commissioner was one of six witnesses at hearings on use of Puerto Rican labor in the continental United States to help relieve seasonal farm labor shortages. The hearing ended tonight.

Representative W. R. POAGE, Democrat, of Texas, presiding, said the United States already had entered an agreement with Mexico for the hiring of labor. He declared that final congressional action was pending.

Commissioner Sierraberdecia told the committee that the main work of farm laborers on this island is in the sugar industry, with peak employment from January to June. Puerto Rican labor would benefit from a labor pool, he said, by the opportunity to expand their earning periods to 8 or 9 months of the year.

Mr. Sierraberdecia said more than 10,000 laborers had been hired by United States farmers last year, of whom 98 percent had returned after the work was finished.

[From the New York Times of April 23, 1951]
MEN SEEKING UNITED STATES JOBS MILL IN MISERY AT MEXICAN CAMP—DISREGARD OF WORKERS' PRIORITY FOR FARM POSTS IS BLAMED—MANY OF LATTER-DAY BONUS MARCHERS HUNGRY AND ILL

(By Gladwin Hill)

HERMOSILLO, MEXICO, April 22.—A once-beautiful city park, now scarred and poverty-ridden, has become the terminal of a latter-day bonus march of thousands of ragged workers from all parts of Mexico. They are gambling their all on the slim chance of getting into the United States as contract farm laborers.

Their pathetic stampede, marked by hunger, sickness, repeated, violence, and several deaths began more than 2 months ago when word filtered across the country that, as in every year since 1947, ranchers and farmers of the far western United States would soon be down. Under an agreement between the governments of the United States and Mexico, these men hire alien workers to compensate for purported shortages of domestic labor.

The recent report of the President's Commission on Migratory Labor said that the unavailability of domestic labor was questionable, since the same terms, inducements and guarantees accorded Mexican labor under the agreement had never been proffered to domestic workers.

In the 4 years from 1947, an average of 80,000 Mexicans annually has been imported for terms of 6 months or a year to work on western fruit, vegetable, and cotton farms, principally in Texas, New Mexico, Arizona, and California. The quota for this spring's importations, up to June 30, has been set at 53,000. Three centers for contracting have been designated: Hermosillo, the capital of the State of Sonora, 180 miles south of the Arizona border; and Chihuahua and Monterrey, two other provincial capitals.

Hermosillo was the first contracting center to open. By the time it began operation April 2, about 12,000 workers, some with the traditional sombreros and sarapes, others wearing just tattered overalls, streamed into the city, augmenting its normal population by 20 percent.

They concentrated in the half-mile-square park named for Francisco Madero, Mexico's martyr president, a preserve of majestic palm and other subtropical trees and beautiful flower gardens. They picked this site as the closest encampment spot to the adjacent Casa del Pueblo, the collection of community buildings and a sports park where the recruiting was to take place.

They made their beds on the ground, dug holes around the edge of the park for fireplaces, stripped branches for fuel.

In general the workers, accustomed to wages of about 40 cents a day, had only a few pesos in their pockets. Many had been unemployed for months and subsisted for days on a few tortillas (corn cakes) and coffee.

FIELD KITCHENS SET UP

By March 31, when the communistic Partido Popular held its state convention here, the workers' distress and restiveness had become so evident that party leaders tried to capitalize on it. They staged a

barbecue and sent trucks with loudspeakers to carry the encamped workers to it. A day or two before, however, Gov. Ignacio Soto, of Sonora, had established some fields kitchens in the park and alleviated the distress, so that the workers were not beguiled.

The Government also established an emergency dispensary, which has been treating as many as 300 cases a day. Numerous workers have contracted pneumonia and several have died.

The restiveness of the workers revived when a team of United States and Mexican officials opened an improved recruiting center in the Casa del Pueblo. The United States contingent is headed by Oscar C. Harper, a representative of the United States Employment Service, and includes a half-dozen men from the United States Public Health and Immigration and Naturalization Services.

The actual hiring of workers depends on the arrival of United States farmers or their representatives with certifications, originating with regional representatives of the United States Employment Service, attesting local labor shortages and authorizing the hiring of aliens.

Hiring has been slow. On some days, 5,000 to 10,000 of the waiting workers have been called from their bivouacs under the trees and herded in the broiling sun for hours while ranchers selected only 50 or 100 of their number. On some days, there has been no hiring at all.

Disregard by the Mexican officials in charge of this phase of the operation for priorities among the aspirants, some have now been here as much as 10 weeks, caused resentment that has flared up in repeated small riots. In one of them a worker was fatally trampled. The targets in these disturbances have been the small detachment of Mexican soldiers called in early in the proceedings to police the throng.

I watched one such outburst today. The majority of the workers, excluded from today's 327 hirings, watched sullenly as their luckier comrades filed up to be looked over and culled by Benigno López, agent for the Growers Farm Labor Association of Salinas, Calif.

The association, composed of the 60 farmers in the Salinas Valley, is offering 82½ cents an hour, minus \$1.75 a day board, for work in the lettuce fields.

The vexation of the left-outers culminated in a brief stone-throwing attack on the soldiers. It was quelled quickly with six arrests.

Of the total of 12,000 workers who swarmed here 2,400 have been hired, mostly by California growers. About 4,000 have given up hope and scattered out of Hermosillo. Some 6,000 are left, camping in Francisco Madero Park.

[From the New York Times of April 24, 1951]

HIRING BRINGS GRIEF TO MEXICAN CITIES—THREE PRINCIPAL TOWNS FACING DISRUPTION AS SEEKERS OF UNITED STATES JOBS POUR IN—DISTURBANCE IS REPORTED—6,000 ARE SAID TO DEMONSTRATE AT MONTERREY—OFFICIAL IN FARM POST PLAN REPLACED

(By Gladwin Hill)

HERMOSILLO, MEXICO, April 23.—This spring's recruiting of Mexican workers for farm labor in the western United States is assuming the proportion of a major governmental headache for Mexico.

Three of the principal cities of northern Mexico designated in the current United States-Mexico labor agreement as recruiting centers have found themselves faced with disruptions and complications of the sort that would attend the protracted encampment of 2,000,000 unemployed in Central Park in New York.

This already has happened in Hermosillo, capital of the State of Sonora, 180 miles south of the Arizona border and the first recruiting center to start operation.

A swarm of some 12,000 jobseekers, equivalent to 20 percent of its normal population, has descended, ragged and hungry, on its Francisco Madero Park to await for weeks on end a chance at being hired by some western fruit, vegetable or cotton rancher certified by the United States Employment Service as unable to obtain domestic citizen labor.

Reports from Monterrey, the capital of the State of Nuevo Leon, to the east, where recruiting has not yet opened, indicate a similar mass descent there. A Monterrey dispatch yesterday said that some 6,000 aspirant workers for the United States had staged a demonstration against the Government.

Similar masses of laborers are reported streaming into Chihuahua, the third designated center. United States officials here said there was no indication when recruiting would be started in those centers. Recruiting under the present agreement must be completed by June 30. It started here April 2.

Although the congregating here has been marked by repeated minor riots and some bloodshed, United States observers have marveled at the workers' patience in comparison with the violence that undoubtedly would have punctuated a similar situation north of the border.

Some laborers have been camping out in the park under the crudest conditions for as long as 10 weeks. They have been lined up in the sun by supervising Mexican soldiery day after day, only to have as few as 50 of their number chosen by United States growers. Out of a throng that has totaled as many as 12,000, only 2,400 have obtained work contracts.

OFFICIAL IS REPLACED

Resentment at haphazard or dishonest management of the selection process forced the Government to recall a representative of the Secretaría de Gobernación (department of the interior) in charge of this phase of the process, and replace him with another under whom things have been going more smoothly.

This last week-end the throng of workers, now down to some 6,000, was divided at random into groups of 50. These groups are called up one at a time for inspection and selection by the contractors.

They file through a small doorway of the Casa del Pueblo (community center) where an American growers representative shakes hands with each one and sometimes pats a worker on the shoulder, in ostensible cordiality. Both gestures are calculated to ascertain their strength and fitness as farmhands.

Simultaneously, the agent sizes them up at a glance, summarily rejecting the men who appear too young or too old, too urban or too paunchy for stoop labor, alcoholics and other unpromising candidates.

The chosen ones go through an assembly line where they are photographed, fingerprinted, vaccinated, registered by United States Immigration Service officers, and given physical examinations by United States Public Health Service officers. Finally they are given long contracts to sign.

Until they walk out with their contracts, they have no way of knowing, except by hearsay, who they are going to work for, where, or at what wage. Minimum wages, housing, feeding, transportation and other basic terms of the employment are covered in the international agreement.

The pay scale of contracts the last few days has been around 85 cents an hour minus \$1.75 a day board. This hourly rate is approximately twice the daily legal minimum wage for farm work in some parts of Mexico. The contracts are for 6 months, renewable for a second 6 months.

When about 50 have received contracts, they are loaded into a chartered bus for transportation directly to their place of employment. Laborers have been signed recently for lettuce work in California's Salinas Valley, a 30-hour bus trip.

Despite their long encampment here, many of the waiting workers do not understand the contracting mechanics, and roam the streets soliciting jobs from anyone who looks like a "Norte Americano," assuming he is a United States grower here for help who can hire them casually.

In much the same way that the mass of unemployed migrant domestic labor in California's San Joaquin Valley early last year posed stringent local problems, this large influx of unemployed from all parts of Mexico has embarrassed Sonora officials. They regard it as a Federal problem, the brunt of which they have had to bear locally. Nevertheless, they have dealt with it with remarkable facility.

In a pointed effort to disassociate State relief activities from the federally sponsored contracting process, emergency soup kitchens and medical dispensaries set up at Francisco Madero Park to meet the initial distress were transferred, under the direction of José Mendivil, chief of the State labor department, to a large school center a mile and a half away.

FREE MEALS PROVIDED

Here any of the unemployed may obtain one meal a day without red tape. At the peak of the distress, before any contracting started, a staff of 30 was putting out 4,000 meals a day. Now it is down to 1,000 meals a day. All told, Señor Mendivil says, the relief center has served some 140,000 meals.

Pressure on the relief center has eased as thousands of the transients have dispersed—some bent on joining the annual stream of a million or more border-jumpers—and as local private welfare has taken a hand.

The Damas de la Caridad (ladies of charity), a private philanthropic organization, has made assistance to the workers its major project, and merchants and individual citizens have been helping out. A hotel clerk told this correspondent he and a neighbor between them were feeding 40 of the campers.

Many of the job-seekers are unemployed urban workers from as far away as Mexico City, and there is concern in organized labor circles that what Señor Mendivil termed "the obsession of getting a job that pays in dollars" may deplete key labor resources, as well as disrupt local working conditions in the recruiting centers.

As Roberto Romero, a representative from Hermosillo in the State legislature conservatively commented: "There is certain to be much parliamentary discussion of this affair in the coming months."

[From the New York Times of April 26, 1951]
MEXICO BARS MIGRANT RAIL TRAVEL TOWARD NORTH AS THREE CITIES ASK AID—30,000 SEEKING FARM JOBS IN UNITED STATES POSE MAJOR PROBLEM—HIRING OFFICES NOW CLOSED—PLACEMENT AGENTS WARNED

(By William P. Carney)

MEXICO CITY, April 25.—State and municipal authorities in three northern cities of Mexico have appealed to their federal Government here to help them cope with the problem of caring for 30,000 migrant farm laborers who want to work in the United States.

These migrants from many distant agricultural regions swarmed too soon into Monterrey, Chihuahua, and Hermosillo.

The international labor-contracting centers in those places, with the exception of Hermosillo, have not yet been opened.

The Interior Ministry here has ordered all stations of the national railway system to refuse to sell tickets to migrant workers wishing to travel northward toward the United States border. Orders also were issued for the arrest and punishment of native placement agents who are suspected of col-

lecting commissions in advance from both the United States employers and the Mexican laborers before working contracts are signed.

ONLY 2,400 EMPLOYED

After only 2,400 harvest hands were engaged by southern California and Arizona farmers, the office in Hermosillo was closed until additional contracting may be authorized. This left 10,000 disappointed applicants who prefer waiting hopefully in Hermosillo to returning home jobless.

Another 12,000 migrants have converged on Monterrey and 8,000 are in Chihuahua.

With officials in all three cities reporting inadequate facilities for feeding and housing, a steadily increasing number of those are camped in public parks and outlying streets without funds to maintain themselves while awaiting the start of employment contracting.

The native placement agents are held responsible for the premature dumping of a surplus supply of farm labor in the northern cities, forcing local authorities and charitable organizations there to care for them until some obtain contracts and the rest are provided with transportation home.

CERTIFICATION OF NEED AWAITED

Foreign Ministry officials, working closely with the United States Embassy here, said that hiring cannot begin in Monterrey and Chihuahua or be resumed in Hermosillo until the United States Employment Service certifies that domestic laborers are unavailable in specified numbers for the harvesting of the fruit, vegetable, or cotton crops of the employers in the western United States. An Embassy spokesman said most of their employers or their representatives are not expected to begin arriving in the three designated contracting centers before May 1.

It was pointed out that President Truman's Special Commission on Migrant Labor recently reported that sufficient domestic agricultural labor might be obtainable even in the southwestern area of the United States that heretofore has depended heavily on the abundant and easily procured supply of Mexican migrants—including both legal and illegal border crossers.

The Mexican Interior and Foreign Ministries, however, still assume that their cooperation is expected for delivery of all surplus labor their country can spare. They have not yet been notified of any reduction in earlier estimates of labor needs made at a conference here in January of Mexican and United States Government officials. At that time hiring procedures and contract terms were discussed for as many as 300,000 Mexicans believed needed for this year's increased production of cotton and other crops in the United States.

The United States Embassy has indicated that although harvesting of most cotton crops will not begin until August, work in the sugar beet fields will start about a month from now. Texas farmers and ranchers were said to be later than usual in computing the number of Mexican workers they will require because a disastrous freeze in February destroyed much of the citrus fruit and veg-

etable prospects for this spring in the lower Rio Grande Valley.

The reason why many unemployed Mexican laborers are available for work in the United States is receiving serious study by both Government and unofficial economists as well as by writers on general subjects in the press here. The fact that much higher wages are paid in the United States is not accepted as a full explanation, although it is conceded that the difference between the 6 to 8 cents an hour paid in Mexico and from 40 to 90 cents an hour that can be earned on the other side of the border, lures even many small farmers away from land they have owned since Mexico's expropriation laws broke up the large haciendas.

But many holders of small land grants have joined in communal groups—that often have family connections—to make their crop production more profitable. These groups provide the housing, food, and medical attention that make the better pay in the United States less tempting to their hired help.

INCREASE IN COTTON ACREAGE

President Miguel Alemán has kept pace to date with the great program for irrigation and agricultural development he fixed for his 6-year term of office that expires in 1952. An over-all increase of 10 percent in the cotton acreage planted with the Government's financial assistance is expected to produce a record crop of at least 1,200,000 bales this year. This means steady agricultural expansion that eventually will give more employment and better living standards to native labor.

Nevertheless, the current issue of *La Nación*, a weekly publication of the National Action Party, the only important political opposition that the Government Party of the Revolutionary Institutions has, accuses the administration of denying to the local press complete information about "a dismal exodus of Mexican farm workers who accept humiliations to work outside their country because the living standard and working conditions here are intolerable and cry for reform."

This paper says that Mexicans must seek the truth in a United States newspaper and reprints excerpts from the series of articles by Gladwin Hill about Mexican migrant labor that appeared recently in the *New York Times*.

UNITED STATES DEPARTMENT OF LABOR,
BUREAU OF EMPLOYMENT SECURITY,
Washington, D. C., April 30, 1951.

Hon. DENNIS CHAVEZ,
United States Senate,
Washington, D. C.

DEAR SENATOR CHAVEZ: In response to your recent request, enclosed is a tabulation of the employment of foreign workers by States for the years 1948, 1949, and 1950. As requested, this tabulation indicates the nationality of the foreign workers.

We trust this is the information desired.
Sincerely yours,

ROBERT C. GOODWIN,
Director,

Employment of foreign workers by State, 1948, 1949, 1950

State	Mexican			British West Indies			Canadians		
	1948	1949	1950	1948	1949	1950	1948	1949	1950
Arizona.....	3,556	6,323	1,822						
Arkansas.....	2,083	17,570	9,540						
California.....	20,789	9,128	9,056						
Colorado.....		124	812						
Connecticut.....				1,944	1,416	276	2		
Delaware.....					35				
Florida.....				1,283	3,854	4,043			
Idaho.....	802		387						
Illinois.....	340			656	50	631			
Indiana.....				62	455	60			
Iowa.....						180			

Employment of foreign workers by State, 1948, 1949, 1950—Continued

State	Mexican			British West Indies			Canadians		
	1948	1949	1950	1948	1949	1950	1948	1949	1950
Kansas.....			30						
Kentucky.....		87	74						
Louisiana.....	478	1,342	903		434	116			
Maine.....							5,515	6,534	7,995
Maryland.....				78	78	27			
Massachusetts.....				22			1		
Michigan.....	955			303	213	255			
Minnesota.....	573			2,176	1,302	964	1	202	
Mississippi.....	5,065	1,994	1,844						
Missouri.....	1,869	3,149	954						
Montana.....	483	627	516		6				
Nebraska.....	4		60						
New Hampshire.....				10	6	12	54		
New Jersey.....			287	287	281	200			
New Mexico.....	319	18,937	12,978						
New York.....				368	619		98		
North Dakota.....									500
Ohio.....			175	70	71				
South Dakota.....									
Tennessee.....		191							
Texas.....		51,612	30,270						
Utah.....	1,162								
Vermont.....								100	109
Virginia.....					107	199			
Washington.....	1,394			1,085	1,857	1,154			
Wisconsin.....	151								
Wyoming.....			641						
Total 1.....	40,028	111,084	70,062	8,349	10,784	8,317	5,671	6,836	8,605
Workers imported 2.....	35,345	119,625	67,421	2,421	1,715	4,425	1NA	4,600	4,807

1 These totals do not include all of the workers who were held under contract the previous year.

2 Many of these foreign workers were transferred from one employer to another, either within a State or between States, so that they worked at several different jobs.

3 In addition 87,220 wetbacks were legalized under terms of 1949 executive agreement between United States and Mexico.

4 Includes workers brought in for New England and New York pulp and lumber operations.

[From the New York Times of March 27, 1951]

CELLER TO PROPOSE HOUSE INQUIRY ON ILLEGAL MIGRATION OF MEXICANS

Representative EMANUEL CELLER, Democrat of New York, announced yesterday that he would move for an investigation of illicit labor migrations across the Mexican border. He said he would propose an immediate inquiry by the Judiciary Committee of the House of Representatives into the situation disclosed by Gladwin Hill in the New York Times. The committee, of which Mr. CELLER is chairman, has jurisdiction over immigration.

The Representative from Brooklyn acknowledged that "for the longest time" he and his associates had known that migrant Mexican laborers, or wetbacks, crossed the Rio Grande or the border. He expressed astonishment, however, at the extent of the practice, estimated at 1,000,000 illegal entries a year, as disclosed by Mr. Hill.

Mr. CELLER said he was confident his fellow committee members would want to investigate and the inquiry could begin without delay. He will propose the inquiry when he returns to Washington Monday.

LINES UP WITNESSES

Mr. Hill's articles, which will continue through Thursday, may provide sufficient background on the wetbacks, Mr. CELLER said, so that officials concerned may be called immediately as witnesses. Mr. CELLER said the witnesses would include Mr. Hill, the Governors of Texas, New Mexico, Arizona, and California, public health officers, representatives of the State Department and representatives of trade groups in cities along the border.

"The revelations by Mr. Gladwin Hill betoken hard work and research, and he and the New York Times are to be highly complimented for showing up the evil of this exploitation of people," Mr. CELLER said. He continued:

"It may be that the immigration service needs many more agents at the border to stop this traffic. I would imagine that the States involved would show vital interest,

and endeavor to curb this trek backward and forward against the border.

"In any investigation that I will inaugurate I will ask the governors of the States concerned to show some semblance of interest, but, in any event, these entrenched ranchers, cattle and cotton interests in those States must be made to realize that there is more to the economy of the Nation than their own pocketbooks.

"The cattle interests and the cotton interests apparently are the offenders, and they should be brought to book. There is apparently widespread violation of many laws—immigration laws, labor laws, and civil rights.

"Payment of 15 cents an hour is a violation of the Minimum Wage Act. Conniving to bring 'wetbacks' across the border is a violation of the immigration laws. Forcing these unfortunate aliens to live in feudal slavery is a violation of our civil-rights statutes, aside from the fact that it violates every sense of decency and honor.

"The same cattle group do all and sundry to keep out Mexican cattle because of the danger of contagion to American cattle through hoof-and-mouth disease, but they are willing to allow Mexican humans to come in without examination as to health and morals. What of the contagion of trachoma, leprosy, and smallpox?"

[From the New York Times of April 29, 1951]

FADING MANPOWER WORRIES FARMERS—THEY TRY TO OFFSET THE EXODUS TO DEFENSE JOBS, BUT EXPECT PEAK IN CRISIS BY MID-1952

(By William M. Blair)

DECATUR, ILL., April 28.—American farmers, who are being called upon to produce more abundantly to feed and clothe the country during defense mobilization, are freely expressing fears that a manpower crisis is shaping up that may seriously affect their output.

Some farm spokesmen and agricultural leaders, along with Washington officials, say that the rural producers are threatened with a labor shortage far more acute than dur-

ing even the critical years of World War II. There are, however, conflicting opinions as to when it will strike hardest. But the consensus now is that by the summer of 1952 farmers and consumers will have cause to worry.

In some areas farmers already are much worried. There are increasing reports of cutbacks planned in cultivated areas, reductions of dairy herds, and a slow-down of other key farm operations. In the main, these reports come from sections nearest to industrial centers where agricultural workers are being siphoned off into plants geared to defense production.

GOOD PAY IN INDUSTRY A FACTOR

The big lures are high wages and a 40-hour week. Substantial offers from agriculture, much above last year's farm wages, have failed to stem the exodus from rural jobs.

The armed services draft has hit hard at the farm-labor supply, but not so hard as at industry. Throughout the Midwest—a major source of the raw materials for food—selective-service boards are credited with doing a good job, but farmers believe a clearer delineation of draft regulations for key farm labor is needed.

Farm spokesmen hold that agriculture gets too little consideration in manpower discussions despite many Washington conferences on the subject, and pending legislative measures for the importation of foreign laborers to assist in the harvesting and processing of this year's crops.

The United States Employment Service reports it is stepping up its efforts to obtain needed labor in local areas and to shift available labor from surplus to tight sections. The agency also hopes to abate labor pirates and competition.

A United States Farm Labor Advisory Committee has recommended close cooperation among State and local farm groups, the Selective Service, and agricultural agencies so that the farm labor and skilled workers for the processing services may be maintained at an effective production level. A better distribution of available labor also will be sought.

The Secretary of Labor, Maurice J. Tobin, has assured agriculture that farm labor would get a preferential rating along with industrial or defense industries.

A tour of the Midwest, however, discloses that farmers are not so sure they will get preferential treatment despite official Washington's word and the efforts of farm organizations.

If the labor shortages becomes acute, they say that besides a cut in production and a shift in crop production longer working hours will be required. Some farmers, too, may come out of retirement to help, and more and more farmers will pool their efforts, an arrangement that is working well in some areas.

Increased nonfarm employment opportunities have absorbed large numbers of workers normally available for seasonal agricultural workers. Farm output per man-hour increased almost 50 percent above the 1935-39 average, but this has been brought about chiefly through increased use of farm machinery.

The Department of Agriculture is seeking a total farm output 45 percent above pre-World War II levels. Such a harvest would be the greatest in United States history.

EVEN MACHINES ARE NOT ALL

Charles B. Shuman, president of the Illinois Agricultural Association, largest State unit of the American Farm Bureau Federation, holds, however that "farm mechanization has greatly increased our ability to produce food, but these wonderful machines will not run by themselves."

Eventually, he believes, the public will start to feel the pinch of a reduced food

output if the movement of workers away from the farms is not corrected.

Midwest farmers, especially the corn-hog-cattle and wheat-cattle farmers foresee a great increase in the number of women donning overalls again to help raise agricultural productivity.

Although bills for the greater importation of foreign labor are before Congress, there are strong barriers to alien labor in vast areas of the Midwest. Among the highly commercial grain farmers, for instance, the feeling is that they would be hard to control and would cheapen labor generally.

Another acute point is use of what they believe is basically hand labor on complicated farm machinery. Kirk Fox, editor of *Successful Farming* here, summed it up this way:

"There is a limit to the number of crop acres a skilled workman can care for in the brief periods suitable for planting and harvest. Untrained workers and workers from other countries cannot operate four-row corn planters or combine harvesters, corn pickers or modern forage machinery."

Midwestern farmers are critical of the House and Senate Agricultural Committees for spending so much time on measures to facilitate the importation of foreign labor. A better policy, they hold, would be a more equitable distribution of domestic migrant labor, and a better utilization of all citizens willing to take farm work as a contribution to the defense effort.

HOME RULE FOR DISTRICT OF COLUMBIA—DISCHARGE OF COMMITTEE ON THE DISTRICT OF COLUMBIA FROM FURTHER CONSIDERATION OF S. 656

Mr. NEELY. Mr. President, I read further from the testimony of Dr. Galloway:

Under the present form of local government, it is further asserted, the people of Washington have no control over the acts of their city officials. If school facilities are inadequate, if the crime rate is high, if municipal services are unsatisfactory in any respect, the local people can neither discipline nor dismiss the responsible officials.

Moreover, it is pointed out, as has already been observed, that the lack of home rule tends to dull the edge of democracy; that it weakens the citizen's sense of civic responsibility; that their political faculties tend to atrophy through sheer lack of expression.

On this point, I would like to digress a moment, Mr. Chairman, and express a personal opinion. You yourself repeatedly referred during the clinic last week to the alleged apathy of the Washington community on this issue.

With all due deference to you, sir, I beg to submit that a review of the home-rule movement here in the last 4 years reveals widespread and sustained interest and effort in this cause. There are scores of civic and social groups in this community which have discussed and debated this question, passed resolutions on it, and sent their spokesmen to testify at congressional hearings. During the Eightieth Congress, for example, 178 witnesses appeared before the District Committees of the two Houses, and 94 percent of them approved of the home-rule legislation in principle. They represented almost every organization in the city. I submit that the record shows that the people of Washington, far from being apathetic, have worked vigorously and energetically for local self-government.

The CHAIRMAN. I think that is true. I cannot be unmindful of the fact that recently we have read accounts of a few American troops withstanding more than 10 times as many Chinese Communist soldiers.

You have one or two powerful organizations here that are not so numerous, but have

great influence. The Board of Trade, with the great wealth that is represented in that body, man for man or woman for woman, has a great deal more power than the ordinary citizen. I hope you do not underestimate their strength.

Mr. President, may we have order?

The VICE PRESIDENT. The Senate will be in order.

Mr. NEELY. I hope my friends on the other side of the aisle will not forget that the truth will make them free.

I read further:

Mr. GALLOWAY. Oh, no, Mr. Chairman; I am well aware of the opposition to this legislation, which stems in large part from the Washington Board of Trade. The Washington Board of Trade is a coalition of the business and financial interests in this community which has controlled the town for many decades; they are naturally reluctant to see a redistribution of political power in this community which this bill would effect, which would transfer the control of the public affairs of the community from a benevolent oligarchy in the top directorate of the Washington Board of Trade, to the duly elected representatives of the people in the District Council.

At this point the reporter has inserted the word "applause." His statement was made before a crowd in our committee room in the Capitol.

Dr. Galloway continued:

The Board of Trade has employed all the techniques of a social lobby to defeat this legislation. They have given fancy dinner parties in Washington hotels, and clambakes in season down on Chesapeake Bay, and other parties, all well lubricated with Mr. Kronheim's fine liquors. [Laughter.]

I suggest to you, sir, that the influence peddlers at the RFC could pick up a few pointers from the tradesmen at the Washington Board of Trade.

Returning, however, to my impartial analysis of the arguments, the advocates of home rule further argue that if Washington had home rule, the administrative structure of its local government would long ago have been modernized. As a matter of fact, however, it has just "grewed" like Topsy, since 1878.

I should comment on Topsy. It is perhaps 50 years since I read that fine story by Harriet Beecher Stowe. Topsy, at least, had the benefit of a gunny sack. As far as civic rights are concerned, the people of Washington are stark naked. They have not even a gunny sack to cover them on political matters.

New agencies have been created from time to time, in piecemeal responses to local needs, until today the administrative structure of the District government is a tangled jungle of uncoordinated, duplicating, and overlapping agencies.

I have here a chart which illustrates the present organization of the District government. This chart was made part of your records 2 years ago. Your committee possesses a very large edition of this chart, which has been mounted, and which was displayed on the Senate floor during the debate on the bill on the 31st of May 1949.

It shows what a tangled jungle, as I say, the District government as at present organized is, and how many overlapping lines of control there are.

The opponents of home rule for Washington also allege that under such a system the Federal interests in the National Capital City would not be adequately safeguarded.

On the other hand, the advocates assert that under this bill the Federal interests would be fully safeguarded in four ways:

First, through the constant oversight of District affairs that would be maintained by the District Committees of the two Houses; second, through the power of Congress to disapprove District legislation; third, through the constitutional power of the President to veto District bills. Finally, through the undoubted power of the Congress to amend or annul the home-rule charter at any time.

It is also pointed out that this legislation provides that it would become effective only after it had been approved by a majority of the qualified voters in a popular referendum.

This provision is regarded as advantageous by the advocates of home rule as a means of giving the people a voice in the adoption of this change, and as a mean of providing that, if they did adopt it, it could never thereafter be asserted that an unpopular form of government had been foisted upon the people of this community against their will.

Another provision of the bill which I ought to mention, which commends itself to the advocates, is that which provides that the voting rights of District residents who maintain legal domiciles in their native States would not be jeopardized by their participation in local District elections. This is a rather unique provision of the bill. It was inspired by a similar provision in the election laws of the neighboring State of Maryland. The main purpose of this provision is to maximize the size and improve the quality of the District electorate. It is estimated that perhaps 100,000 persons, residents of the District of Columbia, who would be qualified to vote in local elections maintain legal domiciles in the States whence they came.

If these persons, of whom I am speaking, resident here but domiciled elsewhere, were disqualified from voting in local District elections, there would be created a dual class of citizenship. There would be the first-class citizens, who reside here, and who will be qualified to vote for District councilmen and for the Board of Education, and there would be the so-called second-class citizens who, unable to vote here, would look to the Congress of the United States for the protection of their interests. This would give rise to the potential possibility of conflict between the Council and the Congress, and might embarrass the conduct of public affairs in the District.

Another provision of the bill which commends itself to its advocates is the proposed qualifications for voting. These are the same qualifications for voting which obtain throughout the United States: American citizenship, at least a year's residence in the District, and the requirement of being 21 years of age or over.

Finally, the bill is advocated by its partisans on the ground that it provides for non-partisan elections. The purpose of this provision is to prevent the control of local public affairs by either of the great national political organizations and, I might add, that nonpartisan elections are the method of elections that obtains in three-fourths of all the city-manager cities of the United States.

In conclusion, Mr. Chairman, I think it pertinent to point out, if I may depart finally from my neutral role as a member of the staff of the Legislative Reference Service, that the Filipinos have gained their independence, Puerto Rico is practically self-governing, Alaska and Hawaii are on the verge of statehood, but the people of Washington are still governed like a British crown colony of the eighteenth century.

Mr. Chairman, I ask unanimous consent to insert in the record of your hearings at the conclusion of my remarks an editorial entitled "A Plea to Congress," which appeared in the Washington Post for November 30 of last year.

The CHAIRMAN. That will be received.

Mr. President, this editorial is so pertinent that I shall read it to the Senate. I hope every Senator present will lend me his ears. The editorial is as follows:

[From the Washington (D. C.) Post of November 30, 1950]

A PLEA TO CONGRESS

For a full decade, the Americans who live in the District of Columbia have petitioned Congress, in the patient, orderly, democratic manner prescribed by the Constitution, to grant them the elementary human right of self-government. A careful study of the home-rule problem was made in the Seventy-ninth Congress. A carefully drawn bill embodying the fruits of that study was introduced in the Eightieth Congress but died there without ever being brought to a vote. A similar measure was introduced in the Eighty-first Congress and passed by the Senate; but the House of Representatives has never had a chance to vote upon it. With all the earnestness at our command, we urge the leadership and the Members of the House to seize this chance and to decide the issue now, before the Eighty-first Congress passes into history.

Let us restate very briefly the arguments for home rule. They are grounded at once in considerations of expediency and in considerations of principle. First, the management of District affairs by the Congress of the United States is wasteful and inefficient. It is as imprudent and inappropriate for the Congress to function as a municipal council for this community as it would be for it to attempt to frame local legislation for Baltimore, Md., or Seattle, Wash. Its Members, no matter how conscientious, cannot be genuinely responsive to the wishes and needs of this community because they are not responsible to the community. They can devote time to the problems of their wards in Washington only as they take time from the problems of their constituents at home. Congress was created to serve as a legislature for the Nation; the basic idea of a Federal Union is violated by its management of purely local affairs. From the point of view of the Members of Congress, the management of the District of Columbia is an embarrassment which ordinary common sense should impel them to shed.

The distinguished junior Senator from Illinois [Mr. DIRKSEN] is present. He has honored me by listening attentively to what I have read from the Washington Post. Its language sounds to me like the words of wisdom which I heard from the lips of the able and most eloquent junior Senator from Illinois in the House of Representatives when I had the honor and pleasure of serving with him in the Seventy-ninth Congress. It was my hope that he would be assigned to the Committee on the District of Columbia of the Senate, and would accept such an assignment. I communicated that hope to him soon after he came here. I have no authority to speak for him, but my guess is that if he were, we would not now be debating this resolution, the purpose of which is to discharge the Senate District Committee from further consideration of this bill.

I repeat for emphasis:

Congress was created to serve as a legislature for the Nation; the basic idea of a Federal Union is violated by its management of purely local affairs. From the point of view of the Members of Congress, the management of the District of Columbia is an embarrassment which ordinary common sense should impel them to shed.

Second, so long as the people of the District of Columbia are tied to the apron

strings of Congress, they will not—indeed, they cannot—deal adequately with their own problems. Apathy and neglect are the inevitable offspring of irresponsibility. The normal corrective to maladministration—repudiation at the polls—is not available to Washingtonians. As a result, the deficiencies in the city's school system, in its police protection, in its recreation facilities, in its housing go uncorrected. Dependency is as corrupting to a community as to an individual. It is a lamentable truth that the people of Washington now lack even the spirit to rise in rebellion against a colonial status which ought to seem intolerable to all Americans.

Third, the denial of self-government to the District does injury to the good name of the United States and to the whole structure of American society. The men who planned a model Capital City on the banks of the Potomac had no thought that it would be an enclave ruled like Berlin by the representatives of remote occupying States. They took for granted that a republican form of government would be guaranteed here as elsewhere within the Federal Union. The country as a whole, no less than the District of Columbia itself, must suffer corruption from a continued disregard of its own basic values. The one argument in favor of home rule that should, in the minds of Americans override all others is that continued denial of the right of government by the consent of the governed is deeply and debasingly un-American.

The opportunity to liberate the District of Columbia is readily at hand. The home rule bill can be brought to the floor of the House by a discharge petition which already has nearly the requisite number of signatures—if only a handful of Representatives will sign it at once. It can be brought to the floor if the District Committee which has kept it pigeonholed for so long will only submit it to a democratic test. To let this legislation lapse now would be a tragic waste. It would also be, we think, an act of despotic arrogance. We ask only that the people of Washington be given the fundamental rights of American citizenship.

Mr. President, in my opinion, that editorial was either written, or inspired, by Mr. Philip Graham, the distinguished publisher of the Washington Post. In that belief I shall say of him what Eugene Field said of the great Mr. Dana of the New York Sun on a certain famous occasion. He said:

Here's to you, Mr. Dana. May you live a thousand years.
Just to keep things happy, in this vale of human tears.
And may I live a thousand too—no, a thousand less a day.
For I should not want to be on earth to hear that you had passed away.

The people of Washington owe the Washington Post, and the author of that editorial, a generous vote of thanks.

Mr. President, I wish now to turn from the professional experts in civic government to the recent testimony of some of the distinguished Members of this, the greatest legislative body in the world, in support of Senate bill 656. Let me invite the attention of Members on both sides of the aisle to those who are the sponsors of the resolution. The Senator from Tennessee [Mr. KEFAUVER] for himself, the Senator from Ohio [Mr. TAFT]—my name comes next, and I exclude myself from that distinguished membership—then come the following eminent Senators: the Senator from New York [Mr. LEHMAN], the Senator from New Mexico

[Mr. CHAVEZ], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Maryland [Mr. O'CONOR], the Senator from New Jersey [Mr. HENDRICKSON], the Senator from Kansas [Mr. CARLSON], the Senator from Maine [Mrs. SMITH], the Senator from Pennsylvania [Mr. DUFF], and the Senator from Rhode Island [Mr. PASTORE].

I shall now read what was said by some of the Senators who testified in behalf of the bill. First I read from the testimony of that outstanding, patriotic Republican, the Senator from New Jersey [Mr. HENDRICKSON]. His testimony was given on Wednesday, the 21st day of February. It is as follows:

Senator HENDRICKSON. Mr. Chairman, I want to say this: It is a real treat to be back with this committee again, because I really enjoyed my 2 years of service on the District Committee, and I really miss the presence of my old colleagues.

The CHAIRMAN. All those you left behind are sorry that you no longer are with us.

Senator HENDRICKSON. Mr. Chairman, my position on the present bill, present home-rule bill, presently before the committee, is well known.

That is the bill to which the resolution before the Senate refers.

In the last session I was one of its cosponsors, and I deemed it a privilege to be one of its cosponsors, and I deem it a privilege again to be sponsoring—cosponsoring—this measure this year.

I am here today to make a very brief statement in support of this bill, in support of the cosponsorship of this bill.

As a member of the District Committee for 2 years, I learned at first hand of the many problems that beset the people of the city of Washington. Although I am not at present a member of the committee, my interest in the affairs of the District has not waned nor will it wane as long as I am a Member of the Senate of the United States.

The doctrine of home rule, it seems to me, is one of the principal supports of our democratic way of life. It is a little hard for me to understand why anyone cannot see that, as it applies to the District of Columbia. It seems to me the citizens of the District of Columbia are no less entitled to elect their representatives than are the millions of other people throughout our land.

I have said many times, and I say again, that it is outrageous that home rule for the District has been made a political football. How much longer are the people, the good people of Washington, going to have to wait to govern themselves? I do not know how long that will be, but I think it is high time that we helped them attain the right to govern themselves, and quickly.

I urge my colleagues on this committee and in the Senate, with all the sincerity I possess, to favorably report this bill out of the committee, to pass it in the Senate, with the least possible delay, and I hope in this committee—I hope it will be reported out with a unanimous vote.

I hope our friends on the other side of the aisle heard me read that statement by one of the outstanding Members on their side.

Mr. Chairman, that is all I have to say on the subject. I could have a lot more to say, because I feel very deeply about this whole situation.

Mr. KERR. Mr. President, will the Senator yield? I beg the Senator's pardon, I thought he was through.

Mr. NEELY. No, I am sorry; I am not nearly through.

O'Mahoney	Smith, Maine	Watkins
Pastore	Smith, N. J.	Wherry
Robertson	Sparkman	Wiley
Russell	Tennis	Williams
Saltonstall	Thye	Young
Schoepfel	Tobey	
Smathers	Underwood	

Mr. JOHNSON of Texas. I announce that the Senator from Mississippi [Mr. EASTLAND] and the Senator from Tennessee [Mr. KEFAUVER] are absent on official business.

The Senator from Georgia [Mr. GEORGE] is necessarily absent.

The Senator from New York [Mr. LEHMAN] is absent by leave of the Senate on official business, having been appointed a member of the United States delegation to the World Health Organization, which will meet in Geneva, Switzerland.

The Senator from Washington [Mr. MAGNUSON] is absent by leave of the Senate on official committee business.

The Senator from North Carolina [Mr. SMITH] is absent by leave of the Senate.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. TAFT] is necessarily absent.

The Senator from Idaho [Mr. WELKER] is absent on official business.

The VICE PRESIDENT. A quorum is present.

ORDER FOR CALL OF THE CALENDAR ON FRIDAY NEXT

Mr. CORDON obtained the floor.

Mr. McFARLAND. Mr. President, will the Senator yield to me to make a unanimous-consent request?

Mr. CORDON. I shall be very happy to yield, if I may do so without losing the floor.

The VICE PRESIDENT. Is there objection to the Senator from Oregon yielding without losing the floor? The Chair hears none, and it is so ordered.

Mr. McFARLAND. Mr. President, I have been asked when we may have a call of the calendar. In order that Senators may have proper notice, I ask unanimous consent that on Friday next there be a call of the calendar for consideration of measures to which there is no objection.

The VICE PRESIDENT. Beginning where?

Mr. McFARLAND. Beginning where the last call ended.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. McFARLAND. Mr. President, the minority leader has just suggested to me that there are very few bills from the first of the calendar to the point at which the last call of the calendar ended, so I will amend my unanimous-consent request by asking that the calendar be called from the beginning.

The VICE PRESIDENT. Without objection, it is so ordered.

SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO

The Senate resumed the consideration of the bill (S. 984) to amend the Agricultural Act of 1949.

Mr. CORDON. Mr. President, the senior Senator from Washington [Mr. MAGNUSON] is necessarily absent from the Senate. He is very much interested in the pending amendment to the unfinished business. He supports it, and has

joined as a sponsor of the amendment. Because of the fact that he cannot be present during the debate, I have been requested to present his views to the Senate. I, therefore, ask unanimous consent that a statement prepared by the senior Senator from Washington be placed in the RECORD immediately following my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CORDON. Mr. President, last evening the Senator from Vermont [Mr. AIKEN] made a suggestion to me that my amendment should contain a limitation on the number of reception centers. This would be in line with the philosophy of the bill and with what the proposers of the amendment, if adopted, seek to have done, namely, that at strategic points in the United States where the Secretary of Labor finds a labor-deficit condition, and the resulting necessity of importing agricultural labor, reception centers be located geographically so as to equalize the costs and the availability of the agricultural labor, so far as practicable.

It appears to me that that suggestion has very real merit. I frankly state, Mr. President, that I do not know how many centers should be established. From the available information, however, gleaned from the hearings, and from other sources, it is my view that a maximum of six such centers would be adequate. It may well be that that many will not be needed. I am open to suggestions on the subject if others have information to the contrary. In the absence of such information, however, I now ask that my amendment be modified in the following respect: On line 2, following the words "United States", to insert a comma and the words "not more than six in number", and a comma.

The VICE PRESIDENT. The Senator from Oregon has modified his amendment.

Mr. CORDON. The effect of the modification is to direct the Secretary of Labor to establish not more than six reception centers so located geographically as to effect equity in costs of agricultural labor and in availability of agricultural labor to the farming fraternity throughout the United States where the Secretary finds that importation of Mexican labor is necessary during the harvest or crop season.

Mr. President, it would appear to me that no argument could be advanced against the adoption of this amendment. It seeks to do no more than equity to agriculture, when viewed on a national basis.

I suspect that argument may be advanced to the effect that this amendment proposes a Federal subsidy to agriculture.

Mr. THYE. Mr. President, will the Senator yield?

Mr. CORDON. I am happy to yield.

Mr. THYE. As a member of the Committee on Agriculture and Forestry, let me say that we studied the possibility of having a reception center or receiving center in the Northwest. We recognized that the seasonal labor requirements in the food- and vegetable-growing areas

not only in the States of Oregon and Washington, but also in all the other States in the Pacific-coast area, are very great indeed.

Mr. President, if the Senator will yield long enough to permit me to do so, I should like to submit an article which I happened to read last evening in the Minneapolis Tribune. The article quotes Mr. Victor Christgau, of the Division of Unemployment Security in Minnesota. The article gives Mr. Christgau's specific statements in regard to what the shortage of labor will be in the State of Minnesota and what the needs will be throughout the various growing and harvesting seasons in that State for the year 1951.

Therefore, Mr. President, if the Senator from Oregon will permit, I should like to ask unanimous consent to have this article printed at this point in the RECORD, as a part of my remarks, because it gives excellent information on the very subject we are studying, and about which the senior Senator from Oregon is speaking at this moment.

Mr. CORDON. I shall be glad to have that done.

Mr. THYE. Then, Mr. President, I ask unanimous consent that the article may be printed at this point in the body of the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"STATE FARM LABOR TO BE SCARCE, COST MORE"—CHRISTGAU
(By Sam Romer)

Minnesota farmers will pay more for farm labor this summer—and have trouble getting help.

This is the general picture revealed in a State-wide survey conducted last week by the Minnesota Employment and Security Division.

Victor Christgau, division director, said it is difficult to predict how severe the shortage will be later this season—but it already has shown up as the division began active recruiting of workers.

In April 1950, for instance, the division listed 274 single farm hands in excess of demands; this year, the division already is 209 farm hands short. The same situation exists in recruiting man-and-wife teams; the 1951 demand is 96 couples short in April.

Other aspects of the agricultural labor problem are almost as bad.

So-called stoop labor—usually done by transient workers in the sugar beet, pea, and cornfields—is going to be hard to get, employers say.

And detasseling of hybrid corn crops—vital to the State's 1952 corn prospects—has seed firms resorting to high-pressure campaigns to get sufficient labor.

Behind the shortage, according to Christgau, is the lure of defense-plant employment with its glamor and overtime wages.

The employment division has moved fast to overcome the shortage, Christgau said. Its 33 local offices are instructed to give farm help requests the same high priority they do defense employment.

More than 375 specially trained employment-security representatives have been alerted to the problem so that one locality's surplus farm labor can be moved immediately to short labor areas.

Increasing mechanization in the fields has helped cut down the number of hired hands needed, Christgau admitted, but mechanization has brought with it new problems.

"The time element in seeding, cultivation, harvesting, and proper care of livestock is so vital," Christgau explained, "that delay in maintenance of equipment can mean disaster."

Wages for permanent farm workers now range up to \$125 monthly for single men and up to \$175 for couples—about 10 percent higher than last year, Christgau estimated.

Money wages are in addition to board and housing—the latter for couples usually includes a separate house, garden plot, and occasionally some chickens or a pig.

The shortage now is most evident in Minnesota's southern areas although it is expected to spread northward as farm activities there are intensified.

Areas suffering from the shortage in April included Albert Lea, Fairmont, Marshall, Red Wing, Willmar, and the Twin Cities.

The short-lived but dramatic detasseling season is facing its most serious labor problem in years, according to officials of Northrup King & Co., the area's largest producer of hybrid seed corn.

Detasseling is the process by which the corn's pollen-bearing tassel—or stamen—is removed to prevent self-pollenization. Hybrid corn is produced by cross-pollenization and self-pollenization leaves the crop useless for seed corn purposes.

The season begins about the first of July, lasts only 2 weeks, but during this period labor and time are precious. Detassellers work at top speed in their race with nature.

Northrup King has hybrid cornfields in five places—near Shakopee, Howard Lake, Waterville, Lake Crystal, and Eden Prairie. In 1950 they used about 1,500 detassellers, many of whom were high-school boys on vacation.

Because of increased acreage this year, the firm estimates it will need at least 2,000 detassellers, making the annual problem more difficult.

Northrup King officials already have started planning. Not only are they asking last year's detassellers to come back and bring their friends, but they have embarked on a civic-relation program to ease their plight.

Community officials and local editors are being organized by company area superintendents to help publicize the situation. This is supplemented by direct mail appeals to farmers to save the hybrid seed crop.

Firm officials are hopeful about fulfilling their 2,000-man detasseling quota, even though scarcity of permanent farm help means many boys will pass up the detasseling season to take summer-long jobs as farm hands.

"Unless we win this battle," a Northrup King spokesman warned, "Minnesota's corn crop next year will pay the price of defeat."

Stoop-labor employers are less pessimistic although they say the situation is tight, and anything can happen. Most transient workers are Spanish-speaking Texans hired under contract along the Rio Grande and then brought north.

Largest employer of transient labor in Minnesota is American Crystal Sugar Co., which relies on three areas for its sugar beets—around Chaska and around Moorhead-Fargo, and Grand Forks on both sides of the Minnesota-North Dakota border.

An increase in national cotton acreage has complicated the situation by creating greater Texas demand than normal for these workers, but company officials are hopeful that they will bring north about 7,000 of these workers, at somewhat higher wages than last year.

Canning companies—the other major Minnesota employer of transient labor—depend on imported foreign labor, rather than Texan, to produce their pea and corn crops.

Spokesmen are quick to emphasize that they prefer local or American labor, but they say they can't get more than a handful.

Most canning companies, especially large firms like Green Giant Canning Co., LeSueur, and Fairmont Canning Co., Fairmont, work with the United States Employment Service to bring in British West Indians—chiefly Bahamians and Jamaicans.

Between them, they expect to import about 1,700.

"Imported labor is expensive labor," a Green Giant spokesman said, "and we are eager to get rid of the program."

"But the labor situation now is tighter than during World War II, and we must depend on imports to save the crop."

Mr. THYE. Mr. President, let me say to the able senior Senator from Oregon that I will support the amendment he is proposing.

Mr. CORDON. Mr. President, I appreciate very much the statement which has been made by my distinguished friend, the Senator from Minnesota. He is one of the best informed Members of the Congress in the field of agriculture. Whenever he speaks on that subject, I and, I think, all my colleagues who are interested in agriculture listen attentively.

Let me also say that I am glad to have printed in the *Record* and made available to the Senate the article to which the Senator from Minnesota has referred, which quotes the officer of the State of Minnesota who is charged with the duty of aiding agriculture in this particular field. I am sure that if all the officials of the various States of the United States could be heard on this matter, their testimony would be of very great value to the Senate in connection with its consideration of this subject.

After all, Mr. President, all we seek to do by means of this measure, and all we are entitled to do, is to meet an emergency which agriculture itself did not produce. We seek, so far as may be done, to put agriculture on the same level as that on which industry has already been put by Congress in the present mobilization and emergency period with which we are faced.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. CORDON. I am glad to yield.

Mr. YOUNG. I was very much interested in the remarks of the Senator from Oregon to the effect that the argument might be advanced that his amendment constitutes a subsidy to agriculture. However, I think the question before us is one of whether we shall have food or shall not have food. Now that the defense program has been stepped up so greatly, there is no longer an unemployment situation. Help is difficult to obtain. Those most adversely affected by the scarcity of labor are the vegetable and fruit producers. In that industry, the profits are low, as a rule. As a result, wages naturally have to be lower than in other industries if the producers wish to remain in business. Of course, the so-called stoop labor is the most undesirable of all; and, as a rule, American help can be obtained in that field only when times are extremely bad. Otherwise, most Americans would almost rather starve to death than engage in that kind of work.

So I say the question is one of either getting the labor from Mexico or from some other point outside the United

States, or else going without the fruits and vegetables.

Mr. CORDON. Mr. President, I thank the Senator from North Dakota. He has put his finger exactly on the vital spot in connection with this matter.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. CORDON. I am glad to yield.

Mr. CARLSON. I appreciate very much the statement the Senator from Oregon is making to the Senate in regard to the farm-labor situation, especially in the field of fruits and vegetables. I still am wondering whether it is possible for the States themselves to handle this situation. I regret sincerely to see the Federal Government go into the field of establishing placement agencies, so to speak, or rest camps, if they may be called that, for the imported foreign labor and the dissemination of such labor from those camps or agencies. It seems to me it would be much better if the States themselves handled this problem.

Mr. CORDON. Mr. President, I appreciate the Senator's suggestion. I, too, regret that this matter cannot be handled in the way the Senator from Kansas suggests. No other Member of the Senate relishes less than I do the intervention of the Federal Government anywhere, in any part of our economy, with reference to any citizen. However, as the late President Cleveland is reputed to have said, sometimes we are faced with a condition, not a theory; and in such case we must act in accordance with the circumstances in which we find ourselves at the moment.

Mr. CARLSON. Mr. President, will the Senator yield further?

Mr. CORDON. Mr. President, I ask the Senator to let me proceed a little further in explaining the suggestion which has been made.

The present situation is that most of the States—certainly my own State of Oregon, and certainly the other Pacific Northwest States, and, I assume, all the other States, in fact—maintain officials whose purpose it is to work with agriculture in their respective jurisdictions, not only with respect to improving agriculture itself, but particularly with respect to aiding, insofar as the States can do so, the location of agricultural labor in the areas of the highest or greatest demand, when it becomes absolutely necessary that such labor be on hand at a certain time, almost to the day, or else the crops cannot be harvested.

However, the situation we face today, Mr. President, is not the ordinary one; this is not a case in which we could have proceeded a month ago to locate the needed labor and thus be certain that we would have it when it was needed.

I apprehend that in the State of Kansas this year it may not be quite so easy as it has been in the past—in fact, it may be impossible before the crop year is over—to find the labor which must be found. In years past the necessary labor has been found in the Pacific Northwest. Before the present emergency confronted us, in the Pacific Northwest our people paid whatever transportation costs were necessary in

order to obtain the additional labor which was needed, and that has been done ever since the World War II period.

The Senator from Kansas will recall that in World War II, when the Government was faced with the same situation with which we are faced now—namely, the need for a sharp increase in production, amounting to between 20 and 27 percent in some categories, and the necessity of having the increased production at once, rather than to wait a year or two for it—at that time the Government did exactly what this amendment seeks to have the Government do at this time: The Government established reception centers and found the labor, so that the agricultural production which it demanded could be had.

Following the war period, our people did as the people of the Senator's State of Kansas did; they found their labor. There are agricultural associations for that purpose throughout the Pacific Northwest. The farmers join in a single association to endeavor to get labor which can remain throughout the crop season and be available where needed and when needed. I wish that could be continued.

I do not like the present situation. But my constituents tell me—and the condition is general, I think—that they are face to face with an added deficit at a time when they are also confronted with the necessity of increasing production, thus doubling the hazard to the crops.

The deficit in labor results from the draining of what would otherwise be available labor into industrial enterprises. Not only into the Pacific Northwest, but in other areas, labor is moving into such industrial enterprises. Then, when we add the necessity for additional production, the farmer is flatly up against something he is unable to handle, and which the State is unable to handle for him.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. CORDON. I am happy to yield to the Senator from Kansas.

Mr. CARLSON. While the distinguished Senator from Oregon is making a very fine argument and an excellent statement in behalf of labor needed in Oregon—and I am sure his statement is absolutely sound—we can appreciate, too, his feeling with respect to the reception centers, something new in this particular field. I do not like to see a program of reception centers entered upon, because I can see that it might lead to increased numbers of them. If we could somehow get by with the present arrangements, I believe we might be relieved of a burden which we may in the future regret we have undertaken.

I know that large quantities of wheat are raised in the Senator's State, but I remind him that the State of Kansas produces one-fourth of the winter wheat of the Nation, and we have a real harvest problem. But our State employment service and our farm-placement service with the cooperation of the United States Department of Labor, move into the wheat area 30 to 60 days in advance and set up headquarters. We

make contact with Canada and with other States of the Nation, and, I presume, with Mexico. We prepare to harvest the crop, which, of course, is one of the crops which must be harvested completely within about 30 days, as in the case of the fruits and vegetables in the Senator's State. We have been able to handle the problem on a State basis. While I was Governor of the State, for 4 years, at a time when we produced large quantities of wheat, we were able to take care of the situation, and I sincerely hope that it will somehow continue to be possible.

I may say to the Senator from Oregon that his modification of the amendment has at least made it more palatable. As it was before, it was open-ended, and I could see no limit to it. I understand the Senator's problem. I know he has one, because the farm situation is a difficult one, and it is especially difficult in connection with the crops which he has mentioned. I desire to be helpful if I can, but I still have certain questions which I hope the Senator may be able to answer for me.

Mr. CORDON. Mr. President, I appreciate the frank statement which the Senator has made. I do not know that I can answer his questions. I shall at least try to answer them, and, if I do not know the answers, I shall frankly say so.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. CORDON. I am happy to yield to the Senator from Utah.

Mr. WATKINS. I take it for granted the Senator from Oregon has heard some of the debate with reference to putting to work American workers who want employment, or who are out of employment.

Mr. CORDON. Yes.

Mr. WATKINS. Let me call to the Senator's attention a situation which existed in my State a number of years ago. In a fruit belt, where there is a rather heavy production of fruits, there is also a steel plant. There are other industrial developments there, as well. In connection with the harvesting of fruit, the farmers in that area went to the State Employment Service, which was combined at the same place with the Federal Service, and told them they needed workers. The employment service said, "Well, we can take care of that very easily. We have about 4,500 persons who are drawing unemployment compensation, so we ought to be able to get the 400 or 500 workers you need out of the 4,500." They told the farmers to bring in their conveyances the following morning, and they would have a group ready for them. The pay was at least \$1 an hour, or so many cents a bushel, for the picking of fruit, and a good, able bodied man could make from \$12 to \$15 a day, under those circumstances.

When the farmers appeared the next morning to get the help, only two men applied, only two men were ready, and those two men, I know of my own personal knowledge, went out to a farm, worked for an hour, and decided that fruit-harvesting was too hard work, that it was not in their line, anyway; and they left. The farmers did not get a

single employee out of the 4,500 who were then drawing unemployment compensation.

In our area we have found that we cannot depend on many of our American laborers. They have been getting so much higher wages in the defense plants, at time and a half for overtime, with double time for Sundays and holidays, and all that sort of thing, that they merely turn up their noses at anything which looks like farm labor. That was one reason why it was necessary, even at the time to which I referred a few moments ago, with 4,500 persons unemployed, for us to get foreigners to come into the State to do our farm work. It was not because of pay conditions, it was not because of living conditions, because, in my State, the farmers have taken good care of their employees. They pay the current scale for agricultural labor, which is treble or quadruple what it used to be, so that there cannot be any complaint on that score. But we simply find the situation to be such that it is impossible to get help, even when people are unemployed and are drawing unemployment compensation. The farmers who sought the workers later explained to us that when they talked to the unemployed workers, they said, "Well, we don't want to go to work for what is offered. We are receiving \$100 a month, \$25 a week. If we can get our regular employment as carpenters, engineers, or what-not, we will work, but we are not going to do any work on any farms for anyone."

That is the situation with which the farmers of my State are confronted. It costs about \$2 a day extra per man, if they have to pay the extra cost for transportation from the Mexican border to their farms and back again. Many times the employees they take to their farms will work only 2 or 3 days, and then leave, though the farmer is still confronted with the obligation he has undertaken, and he will have to pay their return transportation, as well as the transportation which he pays when they come to the farm, when they get through running around. That is why we feel that there ought to be an equalization. I have not heard the Senator's modification of his amendment, but, on the whole, I think it is a sound amendment, and I certainly hope it will be adopted. Will the Senator indicate what his modification is?

Mr. CORDON. The modification is simply a limitation upon the Secretary as to the number of reception centers which he may establish, it being limited to not more than six such centers in the United States.

Mr. WATKINS. That would make it possible to have them centrally located for a group of States; as, for instance, Idaho and Utah, or Washington, Oregon, and Idaho, Utah and Colorado or Wyoming, or certain of the States in that area, would it not?

Mr. CORDON. That is my thought in connection with it. I think the figure represents adequacy. I am not at all certain that the number of reception centers provided for need be established. It is simply my best judgment.

Mr. WATKINS. That would, I think, take care of the situation, although it is not a liberal number. It seems to me that anyone who recognizes the employment problem we now have, with so many of the farm boys in the armed services, should agree to the Senator's proposal. They have been taken into our defense forces. The man who had this help, his sons and others on his farm to help operate it, now sees them taken away; so a double responsibility is cast upon him.

The situation is highly artificial. It is not at all what it was in the period from the end of the war to the time of the outbreak of the Korean War. We must take all the circumstances into consideration in arriving at a solution which will really benefit the farmers. It seems to me that, unless the amendment of the Senator from Oregon is adopted, so far as the intermountain States are concerned, particularly Washington, Oregon, Idaho, and Montana, with their beet fields, their orchards, and so forth, we might as well forget this type of employment, for it would be of benefit only to those who are immediately around the border. I thank the Senator.

Mr. CORDON. Mr. President, I appreciate the statement of the Senator from Utah. Here, again, we have a Senator who knows agriculture in the area which he represents. What he has presented is the correct situation, to my knowledge, and to the knowledge of all persons who have made any study whatever in this field.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CORDON. I yield.

Mr. ELLENDER. I do not desire to anticipate what the Senator from Oregon will say in his speech, but can he tell us how much additional cost this amendment would place on the Federal Government?

Mr. CORDON. Mr. President, I do not have the figures. Of course, any figure presented would be a wild guess, no matter who presented it. The cost to the Federal Government is something which cannot be known at this time because we do not know how many foreign laborers will be imported, or where they will be taken. I want to furnish as much information as I can to the Senator, and I would suggest that in the Pacific Northwest, which is, I think, about as far from the Mexican border as one can get in the United States, at least within the area in which Mexican help heretofore has been used, the experience of the farmers in going to Mexico, securing their labor, and paying the cost of transportation both ways, represented approximately \$100 for each laborer. That information, by the way, is in the hearings which the Senator from Louisiana conducted.

Mr. ELLENDER. Does that figure include the cost of transportation and subsistence both ways?

Mr. CORDON. It does.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. CORDON. I yield.

Mr. WHERRY. Does the Senator know what the administration of the

present bill would cost if it were enacted into law?

Mr. CORDON. In my view it will cost more than \$100 to get labor where it is needed. I do not know of anything the Federal Government does in competition with private initiative and private industry that does not cost far more than it would cost the people if they did it themselves for themselves.

Mr. ELLENDER. Mr. President, will the Senator yield further?

Mr. CORDON. I yield.

Mr. ELLENDER. Is the figure which the Senator has suggested merely for transportation and subsistence?

Mr. CORDON. Yes.

Mr. ELLENDER. The Senator does not know what the reception centers would cost. I may state to him that during the course of the hearings we received evidence showing that providing stop-over centers where laborers stopped overnight would cost in excess of \$70,000 merely to erect them, and without management.

Mr. CORDON. I shall cover that point in my discussion. I do not know what the proposal would cost the Federal Government. I do not know how the Secretary of Labor would go about doing the job. I know how he could do it and how he should do it, and I shall present my views in connection with that point. He should follow the general plan that agriculture follows today. He can pick up the laborers, but he should take none to any area where they are not contracted for in advance under the terms of the bill. Therefore, when the laborers leave the recruitment point or the center at the border, they will be under contract already. Their employers are known in the area. The reception center should represent, in fact, nothing more than a geographical point to determine the limit of Federal financial responsibility in connection with the transportation of the labor.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CORDON. I yield.

Mr. ELLENDER. I am sure the Senator is aware of the fact that if additional reception centers should be established, the contracts between the employers and the employees would have to be made at the reception centers, and not at the border.

Mr. CORDON. Mr. President, there is no requirement in the bill, nor will there be if my amendment is adopted, as to the particular reception center where the contract can be made. It can be made at a reception center where the workers are received at the border, as well as anywhere else. In my opinion, that is where the contract should be made. There should not be any importation of foreign labor into the United States to the extent of one individual beyond the number found to be needed, and beyond the number which employers have signified their willingness to accept the responsibility for hiring. All we need is sensible administration of the act.

Mr. President, there is a sound basis for the adoption of my amendment. We are faced with is a specific need

for which a specific remedy is required. There are well-known procedures which agriculture has followed, and which, under this bill, the Department of Labor can and should follow. If that be done, the overhead will be reduced to a minimum, as it has been during the period since World War II, when labor has been able to carry this additional load at distant points; and we shall not be faced with mounting costs.

It is not the purpose, as I understand, to have the Government enter into the establishment of child-care centers, or undertake the socialization of the laborers, or anything of that kind. The Government is to be a recruiting and transportation agent. The farmer is the employer. The laborer imported is seeking work. When he leaves the border, he knows where he is going; he knows what wages he is going to get; he knows who his employers are, and there is no reason for any loss of time or for the building of any great motels, and what have you, here, there, and yonder, to hold labor while the farmers come and look them over as they might look over stock in stock yards. Let the employer discharge his obligation; let him make his contract with its specific obligations. The only thing this amendment will do will be to take off the farmers at points distant from the Mexican border a part of the added cost which Mexican labor will represent in those distant places.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CORDON. I yield.

Mr. AIKEN. The additional cost to the Government for providing Mexican farm labor to be employed at points in Oregon, Washington, Minnesota, or Illinois would be primarily one of transportation, would it not?

Mr. CORDON. That is correct.

Mr. AIKEN. A reception center does not necessarily mean, as the Senator has stated, the building of motels or accommodations. A reception center would be a point where the employer could perhaps simply meet the train.

Mr. CORDON. That is correct.

Mr. AIKEN. And pick up the persons who are to work on his place.

Mr. CORDON. It may well be, if I may interrupt the Senator, that on their trips the employees may never reach that point. They may come to the first point of their employment before they reach the center, and that is where their employer would meet them.

Mr. AIKEN. I think, perhaps, centers could be authorized, one or two in the Pacific Northwest, and perhaps in Utah, Colorado, Illinois, Michigan, or possibly other States, to which the Federal Government would pay the cost of transportation from the border. If the purpose of getting Mexican labor is to produce and conserve crops, then, of course, the labor should be supplied wherever the crops are produced and harvested.

Mr. CORDON. Exactly.

Mr. AIKEN. I would not look for any particular additional cost above that of transportation if, as the Senator says, the program is well administered. I do not know how many laborers the North-

west may require. It depends on the weather.

Mr. CORDON. That is correct.

Mr. AIKEN. If there is not a large crop, a large number of laborers will not be required. If there is a large crop, several thousand laborers might be required. I do not know.

Mr. CORDON. The figure has been variously estimated at from 6,000 to 8,000 at the maximum.

Mr. AIKEN. That is assuming a fair, average season?

Mr. CORDON. Yes.

Mr. AIKEN. I do not think it is necessary, simply because the Federal Government designates a point as a center, to go to any great expense in erecting new buildings which might not be needed at all.

Mr. CORDON. I appreciate the Senator's view.

Mr. AIKEN. The center would be the point to which the Government could legally pay the expenses of the laborer. Is that correct?

Mr. CORDON. That is my view. I can see no reason for changing what has been found to be a satisfactory procedure for the handling of the problem from the standpoint of both the employer and the employee.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CORDON. I yield.

Mr. ELLENDER. The distinguished Senator from Oregon concedes, however, does he not, that until the employers take over, at the centers, the Mexican laborers who have been sent there, the United States Government must pay for the sustenance of the laborers? The Senator will agree to that, will he not?

Mr. CORDON. There can be no question about that.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CORDON. I am happy to yield.

Mr. AIKEN. That could be handled by the Government's not shipping employees to the areas until it knows that their services will be required. I do not think that agricultural laborers should be sent here, there, and everywhere around the country on the mere possibility that someone might want to hire them. I think it should be known in advance how many are needed and where they are needed.

Mr. CORDON. It would be a terrible mistake if they did not do it that way.

Mr. ELLENDER. According to the amendment which has been offered by the distinguished Senator from Oregon, it is specifically provided that reception centers shall be established "for the purpose of receiving and housing such workers while arrangements are being made for their employment in, or departure from, the continental United States."

In other words, as I read the language, it would be possible for an employer to wait until the workers got to the reception centers and there contract for them. In the meantime, they would be in the hands of the Federal Government, at the expense of the Federal Government.

Mr. CORDON. Mr. President, I agree with the Senator from Louisiana that that sort of silly administration could be indulged in by the Department of Labor, if it desired to do so. There is absolutely no requirement that it be done that way. There is no reason for its being done that way. The Senator from Oregon is going to indulge in the presumption that the Department of Labor would use common sense in its administration of the proposed act.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CORDON. I am glad to yield to my colleague.

Mr. MORSE. Is it not true that in the past few years in the Pacific Northwest, particularly in the Rogue River Valley, farmers have employed Mexican labor in the picking of the crop and in the processing of the crop?

Mr. CORDON. It has been done for many years.

Mr. MORSE. The employers have entered into contracts for the number of men they needed before the men were ever shipped into our State. Is that not correct?

Mr. CORDON. Always; except during World War II.

Mr. MORSE. Is it not reasonable to assume and presume that in the administration of the proposed act such a common-sense procedure will be followed, namely, when, for example, pear growers in the Rogue River Valley certified that they needed 2,000 Mexican laborers to pick the pears and pack the pears, they would notify the Federal officials to that effect, and then enter into an arrangement with them. Thereupon notice would be given to the Federal officials at the border to send to Portland, Oreg., for example, 2,000 or 2,500 Mexican laborers, depending on the number of laborers who would be needed by the farmers to pick the pears. Is it not reasonable to assume that such a common-sense procedure would be followed?

Mr. CORDON. No other procedure would be consonant with reason. It is the settled practice. It is a practice which has been found to be eminently satisfactory. There is no reason in the wide world for changing it.

Mr. MORSE. Is it not true that all that the senior Senator from Oregon is seeking to do by his amendment is to have certain points of entry designated, and to have the Federal Government assume the cost of transportation to those points of the workers who are required to take care of the harvest needs of the section of the country which needs that type of help?

Mr. CORDON. The Senator is exactly correct.

Mr. CAIN. Mr. President, will the Senator yield for a question?

Mr. CORDON. I am happy to yield to the Senator from Washington.

Mr. CAIN. Is it not true that in the Pacific Northwest a large number of American workers, who were in years gone by available to satisfy the picking season demands, have been drained off

in one way or another by the defense effort?

Mr. CORDON. That is the very reason why we are asking that some action be taken which will aid the farmer, not in the sense of helping him make money but to do what needs to be done. If the bill with the amendment should be enacted, it would still cost agriculture in the Pacific Northwest more per man per day than it would cost if the Pacific Northwest could find agricultural labor in its own area. Talk about subsidy. There is no subsidy involved.

Mr. CAIN. Mr. President, may I ask one more question?

Mr. CORDON. I am happy to yield.

Mr. CAIN. Does it not therefore follow that if outside labor is not made available to the Pacific Northwest and to certain other comparable areas in the United States, the farmers of America will be required and forced to curtail their acreage, which would be anything but a contribution to the defense effort?

Mr. CORDON. It must necessarily follow that otherwise the farmer would be subjected to the cost of plowing, harrowing, planting, and tending of his crop through to harvest time and then to a dead loss, with nothing gained.

Mr. CAIN. May I burden the Senator with one additional question?

Mr. CORDON. I am happy to yield to the Senator from Washington.

Mr. CAIN. As the Senator from Washington understands, the senior Senator from Oregon is just as desirous of benefiting, through the pending amendment, the farmers of every region in America as he is the farmers of the Pacific Northwest.

Mr. CORDON. Of course, the Senator from Oregon of necessity calls attention to conditions which exist in the area with which he is well acquainted. That the same situation prevails in other areas there can be no doubt. I believe, however—and I wish to be wholly factual—that in some sections, notably on the Atlantic coast, there is now in effect, and will continue to be in effect, special contractual arrangements with labor from the Caribbean area, which satisfy the additional needs of those sections. If that is not the case, then the benefits of this bill should go to that area. It should go to any area where the need is found to exist. If I discuss the Pacific Northwest, I do so solely to indicate by example the conditions which require this sort of temporary emergency legislation.

Mr. CAIN. Mr. President, will the Senator permit one other intrusion?

Mr. CORDON. I am happy to yield.

Mr. CAIN. Does it not follow, if the amendment which has been offered by the Senator from Oregon should be adopted, that farmers in every section of the country could benefit from the amendment if the conditions covered in the amendment prevailed in such other areas?

Mr. CORDON. Without question.

Mr. President, I said a minute ago the argument probably would be made that the amendment would set up a subsidy

for agriculture. I wish to dwell on that point for a moment. Let us assume the operation of the bill, with the amendment included. Again I refer to the Pacific Northwest. We may assume a reception center in the Pacific Northwest, and, for the purpose of my example, I will assume it is located in Portland, Oreg., which is reasonably centrally located to the State of Washington, the State of Oregon, and the western portion of Idaho. That reception center would be the geographical point to which the Government would be obligated to pay costs of transportation of incoming workers, and from which it would pay the cost of transportation of returning workers. It would serve little other purpose.

The farmers in the over-all area have long had associations for the purpose of securing migratory labor, and particularly foreign labor. The use of such associations is recognized in the bill, and provision is made for dealing with associations rather than individual farmers, if that is found to be advisable. Such associations now exist. They represent all types of agriculture which find seasonal periods when they need additional labor; and when those periods come they need it immediately. In the fruit area a day will come in the picking of pears when pears must be picked. Two days later there is no need to pick them. They cannot be saved. They must be picked on the day when they are ready to be picked.

The associations have in their membership, groups representing each of the several agricultural industries. There is one in the fruit area, let us say, in the pear area of the Rogue River; another in the bean area in the Willamette Valley; another in the area where peas are planted and harvested by the tens of thousands of acres, in the wheat section of southeastern Washington, northeastern Oregon, and western Idaho; another in the beet area; another in the Hood River apple area, in the Wenatchee country, and so forth. Others are in the intensively cultivated garden areas around Puget Sound.

All those areas are represented in a single association. The necessities are worked out carefully. The timing is worked out. The obligation of the individual employer is determined in advance. It is an obligation to the association; and until the association is satisfied that that obligation will be met, no foreign workers or other workers are brought into the area. All those things are taken care of in advance.

Consequently, in that area, through these associations, there would be in advance definite knowledge as to the number of additional workers needed, where they were to work, for whom they were to work, how long they were to work, and when they would leave one point to go to another. They would follow the seasonal rotation of crops through the Pacific Northwest, beginning within the next 2 months and running through until late fall. That will all be done.

But, Mr. President, the point I wish to make is that those workers will receive

the going wage established in the particular area for the work which they do. It is the highest wage in agriculture known in the United States. The foreign worker will receive just what his domestic colleague will receive in the same area for doing the same work.

There will be adequate housing wherever the workers go, because that has been taken care of in the past and is maintained. The difference to the farmer, is that when he employs local domestic labor he does not have to pay costs of transportation. He pays the laborer when the laborer appears on the job, and he pays him until he finishes the job. Then the laborer is on his own. In this case the employer must pay his pro rata share of the cost of transportation from the point of reception to his farm, wherever it may be, and transportation returning. Those additional costs are added to the going wage rates, and represent additional costs to the agriculture of the Pacific Northwest, even under the provisions of my amendment.

So we cannot say that the Government is giving anything to agriculture in the Pacific Northwest—not a thin dime. The Government's necessities have drained the manpower away. The Government now seeks to find a substitute for that manpower, and agriculture says, "I will help to foot the bill, but I cannot foot it all."

If we are to talk about subsidies, let us take a look around the rest of the country. Today we are entering into contracts running into hundreds of millions—yes, billions—of dollars for defense. That defense is valueless unless food is available. So if industrial contracts represent defense, so does the production of food. This is a call predicated on defense. We are entering into contracts throughout the United States. What arrangements do we make? What arrangements have Congress provided authority for making?

First, when we enter into a contract with industry, and industry cannot produce because it does not have the capacity for the additional production, we either build for industry and permit industry to operate the Government equipment and the Government facilities, or we go to the Treasury and furnish the money to industry to build for itself. In the first place, we will lend industry the money. We will give it special allocations so that it can do the job. We will give it sufficient contracts so that it will know that it will get its principal back. In addition to all that, we will give it a special right to amortize the whole of its investment over a period of 5 years. If we are to have private industry, if we are to have freedom in this country, we must do something like that. Faced with that condition, it will become anyone to cry "subsidy" when we seek to help the farmer not to lose quite as much as he otherwise would lose.

Mr. MORSE. Mr. President, will my colleague yield?

Mr. CORDON. I am glad to yield.

Mr. MORSE. I am delighted that my colleague has made the argument which

he has just made, because I think it is a complete answer to the subsidy charge. Yesterday on the floor of the Senate I said, "Call it a subsidy if you wish; it is a vital part of the cost of defense." That is what the transportation cost of the workers really is. It is a part of the defense program. We ought to face it as a defense cost, just as we face as a defense cost the building of a manufacturing plant to manufacture war material. We know that contracts are made with the Government, as the Senator has pointed out, so that the manufacturer will get back within a few short years the entire cost of the plant; and he will still own the plant, by the way. All we are asking for in this bill is the transportation cost, to enable agriculture to provide food for the American people. That food will be wasted if we do not consider this item a part of the defense cost.

Mr. CORDON. I appreciate very much the statement of my colleague. I could not agree with him more completely.

It seems to me that there is no basis for opposition to the amendment. Certainly those engaged in agriculture who happen to have the good fortune to be located within a short distance of the Mexican border would not want to say that, because of their location, the Congress of the United States should enact this proposed legislation, which, while it might appear general on its face, as a practical proposition is a special preferment and priority to those who live in the nearby area.

Mr. President, if the amendment should be adopted the farmers in the Pacific Northwest would still pay as much transportation costs for their labor as would the cotton growers of Missouri, Oklahoma, northern Mississippi, northern Louisiana, or elsewhere in that area, because they would still have to meet in their entirety the long overland transportation costs back and forth. Let us while we talk equity do equity.

Mr. President, there are a number of things to which I desired to call attention. I shall in a very few minutes close my argument. I shall not advert to specific allegations which have appeared in the Record and to which I would be glad to give specific answers. If they are repeated, however, I may meet them one by one. But it seems to me that this case is so fully met that further argument would be cumulative, reiterative, and of no value to the discussion.

I desire to put into the Record at this time, Mr. President, only some of the mileage distances that agriculture itself in the Pacific Northwest would have to bear were it to have a reception point in the city of Portland. In the Seattle area there would be a total of 190 miles one way, running from 160 to 190 depending on location. In eastern Oregon and western Idaho and the great beet-growing area, 400 miles. In the Medford pear area of the Rogue River, 300 miles. In the Pendleton area, where the peas are grown in the tens of thousands of acres, 219 miles. In the Klamath area in southern Oregon, 294 miles. In the Wenatchee area up to 200 or 250 miles.

There are areas in between where the distances would be less. The figures represent one-way mileage which would have to be met in its entirety by the farmers. To add to that the expense of the two-way trip from the Mexican border would create an intolerable burden. Agriculture in the Pacific Northwest is already required to absorb the discrimination that distance from market itself causes—the transportation cost, and the transportation cost east is greater than it is west. There would be that transportation differential in the first place. To that would have to be added a harvesting cost of \$2 a day per worker unless a portion of that added load is taken over by the Government as it has absorbed other added costs in other essential industries where additional needs have been found to exist if this country is to prepare to defend itself.

EXHIBIT 1

STATEMENT BY SENATOR MAGNUSON ON FARM LABOR BILL, S. 984

On March 12, Senator CAIN, Senator MURRAY, Senator WELKER and I introduced a bill (S. 1106) designed to give the Secretary of Labor authority and funds with which "To facilitate the obtaining of an adequate supply of workers for the production and harvesting of agricultural commodities, and for other purposes." That bill was much more comprehensive than the bill now before us. It authorized the Secretary of Agriculture to provide minimum assistance for domestic migratory workers. It placed major emphasis on full utilization of the domestic labor force.

This was in sharp contrast to S. 984, which confines itself entirely to importation of foreign workers—and then only from Mexico.

Other Senators have, or will present the shortcomings of the legislation reported by the committee as measured against the overall need for corrective action in the migratory labor field. I, therefore, will not burden the record by repeating their arguments.

I wish to call attention, however, to the fact that this bill, as it came from the committee, would not provide a single iota of help to farmers in the Pacific Northwest, the farmers in the New England States, or to farmers in Montana, the Dakotas, Minnesota, and other States geographically removed from the Mexican border. Mr. President, in my judgment this is strictly a "border State" bill.

The Senator from Oregon, Mr. CORDON, has introduced an amendment designed to correct this feature of S. 984. I had prepared a similar amendment, but decided not to offer it since the Cordon amendment accomplishes the same objective. I, therefore, join the senior Senator from Oregon in urging approval of his recommendation.

Mr. President, unless the Cordon amendment is adopted, I see no reason why any Senator in an agricultural State removed from the Mexican border should support this bill.

I want now to review briefly some of the testimony I presented on this subject to the Senate Agriculture Committee.

We must have sufficient labor in the fields to plant, cultivate, and harvest the coming crops. This is essential, both to the welfare of the individual farmer concerned and to the national defense effort. If the supply of labor from normal sources is inadequate, we must supplement it by obtaining workers elsewhere.

The labor supply, even in normal times, is not uniformly spread across the country. Some areas experience greater difficulty than others in meeting their needs. This is particularly true of that type of labor which has become to be known as stoop labor.

As defense mobilization is accelerated, spot labor shortages will appear. In some cases these will be sectional—in other cases, regional—and in still others, merely State or area shortages. The geographic location of these spot shortages will bear direct relationship to the location of defense industries. It is inevitable that a plant like Boeing Aircraft Co. will draw the majority of its new workers from the communities immediately adjacent to it.

If nature is permitted to take its course some farming communities, some farming valleys, some farming areas will suffer more than others. Left entirely to their own resources and devices, some sections of the country, where farming is the chief occupation, will suffer extraordinary and undue hardship.

The defense mobilization effort, which creates critical farm labor problems on a sectional, regional, or spot basis, is a national effort. It is not only the State of Washington or the Pacific Northwest that is mobilizing for defense—it is the United States of America.

The impact of defense mobilization may be localized. The cost of defense mobilization and the impact of the problems in its wake must be borne by the Nation as a whole.

Any legislation dealing with the farm labor problem must be viewed from a national, rather than a sectional point of view. States bordering on Mexico may not need as much assistance as States like my own—1,500 miles from the border. I am confident, however, that the delegations from Texas, Arizona, New Mexico, and California will agree with me, that a problem created by a national effort demands equality of treatment as among sister States of the Union.

To pass legislation here in the National Congress which solves the problem of the border States but leaves unsolved the problem of Minnesota, the Dakotas, Montana, Washington, Oregon, Idaho, the New England States, and others would be indefensible in my opinion.

To summarize this portion of my remarks—I think we must augment our domestic farm labor supply with some foreign workers in the coming crop season. Any legislation on the subject should be national—not sectional—in scope and in actual application. Some States, some regions of the country will be harder hit than others. A reasonable part of the additional burden thrown upon farm producers in this area, should be borne by the Nation as a whole. Since transportation of the foreign worker from place of recruitment to place of need represents a significant part of the additional cost, the Federal Government should assume that portion which most nearly represents the defense-created problem.

Now, just a brief comment on the specific problem of Northwest growers. Principal sources of foreign or off-shore workers are Hawaii, Mexico, and Puerto Rico. The distance from these places of need in the Pacific Northwest ranges from 1,500 to 3,000 miles. Cost of transporting workers from these points of recruitment to places of need and return ranges from \$100 to \$160.

With these figures in mind consider the estimate of need. Best calculations place our Washington, Idaho, Oregon need for out-of-area workers at 7,000–8,000. If even one-half this number comes from off-shore or foreign sources, the additional cost to Pacific Northwest agriculture ranges from \$400,000 to \$640,000. If all were obtained from out-of-country sources, the cost ranges from \$800,000 to \$1,200,000.

Not only is this additional cost a burden on the individual growers, it also represents a ball and chain his products must carry into the market place where Northwest crops compete with those grown in border States.

Mr. President, I close by urging, again, adoption of the Cordon amendment.

Mr. CAIN. Mr. President, since I shall necessarily be absent from the floor for a few moments in attendance of a meeting the Armed Services Committee, I ask unanimous consent that, if the amendment of the Senator from Oregon [Mr. CORDON] is acted upon before I return, a brief statement by me in support of the Cordon amendment may be printed in the body of the Record.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

PROPOSED WITHDRAWAL FROM KOREA

Mr. CAPEHART. Mr. President I ask unanimous consent to submit the concurrent resolution, which I send to the desk and ask to have read.

The PRESIDING OFFICER (Mr. STENNIS in the chair). Without objection the resolution will be received and read.

The legislative clerk read the concurrent resolution (S. Con. Res. 30), as follows:

Whereas on June 27, 1950, the Security Council of the United Nations recommended by resolution that "Members of the United Nations furnish such assistance to the Republic of Korea as may be necessary to repel the armed attack and to restore international peace and security in the area"; and

Whereas on July 7, 1950, the Security Council of the United Nations by resolution requested that the nations supplying forces and other assistance to the Republic of Korea be put under a unified command headed by the United States and also requested the United States to designate the commander of such forces; and

Whereas subsequent events have shown that the members of the United Nations—with a very few exceptions—have been dilatory in carrying out the recommendations of the Security Council of that organization; and

Whereas on February 1, 1951, the General Assembly of the United Nations declared by resolution that Communist China was an aggressor in Korea; and

Whereas the overwhelming proportion of the troops and matériel furnished by United Nations members in response to the Security Council resolution of June 27, 1950, have been furnished by the United States; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress:

That, unless, within 30 days of the passage of this resolution the members of the United Nations have given to the commander in chief, United Nations forces in Korea, satisfactory evidence that both troops and matériel, in such proportion to member resources as he, after consultation, shall determine, are promptly forthcoming, the President shall recommend the withdrawal of United States Armed Forces from Korea to Japan and Formosa; and

That a treaty of peace with Japan should be concluded without delay; and

That the President shall employ the Armed Forces of the United States to the extent necessary to defend the islands of Japan and Formosa against armed attack;

Provided, however, That, if for strategic or other reasons it is decided by the President that the Armed Forces of the United States should remain in Korea, then it is the sense of the Congress—

That the President should order the four divisions of United States troops which are now scheduled to go to Europe be sent to Korea instead; and

That the United States representative to the United Nations and representative in the

Security Council should be instructed to oppose, and if necessary, veto the admission of the Chinese Communist regime to membership in the United Nations.

Mr. CAPEHART. Mr. President, what is the reason for this concurrent resolution? I favor the MacArthur proposal for winning the war. As General MacArthur so properly stated, the United States at best can only expect a stalemate war in Korea under the policy being followed by President Truman and Secretary Acheson. Victory in Korea is impossible unless the United States takes a much stronger action against Communist China. This should include a bombing of Chinese bases in Manchuria and the use of Chinese Nationalist troops on Formosa to open up a guerrilla war on the Chinese mainland. Senators will notice I said—to open up a guerrilla war on the Chinese mainland. I do not want anyone to say that I am advocating the use of United States forces in opening up a front on the Chinese mainland, but for the Chinese Nationalist troops to open up a guerrilla war on the Chinese mainland. Chinese Nationalist troops should also be used in the United Nations Army in Korea.

I do not believe that the bombing of Manchurian bases will necessarily bring Soviet Russia actively into the conflict. Red China already is in it. The opening of a guerrilla war on the mainland would force Red China to divert large numbers of its troops to engage those of Chiang Kai-shek's Nationalist forces, who are experienced, trained soldiers, and who have demonstrated in the past their ability to fight the Chinese Communists.

The limited-war concept espoused by the administration bars any victory. The only end to such a limited war can be an appeasement settlement. That can be the only possible way the Korean War can be settled on the basis of the policy now being adopted by this administration.

The only alternatives is fighting forever; a course which means the sacrificing of additional thousands of American boys in a way which the American public should not and will not countenance.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD an article from this week's United States News and World Report.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Averell Harriman, special assistant to Mr. Truman, is credited with having recommended the summary dismissal of Gen. Douglas MacArthur without a hearing or an opportunity to take formal leave of his command. Dean Acheson, Secretary of State, concurred in the policy that the President followed.

The United States Joint Chiefs of Staff did agree that recall of General MacArthur probably was necessary, but did not endorse or recommend the method of dismissal, which was without precedent in military procedure. None of the amenities was shown a commander who had given 52 years of service to the Government.

Gen. Omar Bradley, chairman of the Joint Chiefs, was asked by the White House to make the speech denying that the group agreed with General MacArthur on military policy in the Far East. That speech was

cleared before delivery by Dean Rusk, Assistant Secretary of State.

General MacArthur is unlikely to accept any of the many jobs being offered him in private industry. The general, instead, is expected to express his opinions on some of the developing military and diplomatic issues.

It was in January 1951 that the United States Joint Chiefs of Staff indicated agreement with MacArthur on the military strategy for conducting war in Korea.

With General MacArthur fired, the White House group is getting set to put into effect a number of the recommendations that the general had favored. There is beginning to be doubt concerning the political popularity of a plan that calls for United States troops to move up and down Korea while casualties go on endlessly.

If the armies of Communist China persist in staging offensives in Korea they may become the first armies to get a taste of atomic-artillery shells.

Lt. Gen. Albert C. Wedemeyer, nearly 5 years too late for the effect he expected, is finding that the United States Government is accepting his idea for giving military aid and direction to the forces of Chiang Kai-shek. General Wedemeyer, who was overruled, wanted to bolster Chiang while he still held most of China.

Mr. CAPEHART. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point certain paragraphs which I have marked, which appear in the United States News and World Report Newsgram for May 4, 1951, under the heading "Tomorrow."

There being no objection, the marked paragraphs were ordered to be printed in the RECORD, as follows:

Out of the argument, the sound, and excitement, a few facts seem clear:

War in Korea cannot be won by UN under existing rules. Communists, alone, enjoy an opportunity in Korea to try for a real decision.

Rules, explained publicly to the enemy, permit UN forces to move only a few miles above the middle of Korea. The same rules permit Communists to drive United States troops into the sea, if they can. Rules, under which United States troops fight, are influenced by other nations that supply few troops of their own.

Casualties, taken largely by Americans on the UN side, can go on and on. UN troops are permitted to advance a limited number of miles. Then Communists are permitted to build their forces to push the UN back. After that, the UN makes another limited push, then waits to be pushed back.

It all can go on forever unless or until the rules are changed.

Actually, the rules will gradually be changed as MacArthur wanted.

Communist armies will be stopped, cut up. Communists, going back next time, are not likely to be allowed to rebuild their strength unmolested.

Bombing of Chinese bases is nearer than it was. Blockade is likely to be forced. Idea that non-Communists should go on supplying China with 20 to 30 shiploads of supplies a week, plus all that moves through Hong Kong and Macao, so that Communists can be able to fight better, won't always sit well. General MacArthur didn't like that—supplying an enemy with means to kill.

Arming of non-Communist Chinese will be tried, too. That's starting. United States Navy won't always be under orders to shoot non-Communists on Formosa who may want to fight against the Communists who are fighting against Americans.

War, in other words, is very likely to take the course that MacArthur is convinced that it will take, even though President Tru-

man says he objects. Wars, as we've pointed out before, have a habit of expanding, not contracting.

If you want to know something else that's probably coming, it's this:

Someone in United States is going to look around the world. He'll notice that not a Russian is fighting anywhere, although the world is in quite a turmoil.

Then the American will see that Russians provide the guns, the agitators, the arguments for others who do the fighting on their side. He'll notice, too, that Americans do most of the fighting on our side, as well as supplying guns.

The thought will dawn that maybe in the world there are those who are actively on our side, who might be encouraged to see rewards and opportunities for being active non-Communists just as Russia finds plenty of Communists. It may be that peoples, if given the means, if organized, supplied with missions, encouraged, would be as willing to fight Communists as Communists seem willing to fight them. Then American troops might not have the major burden.

It's just something more to think about. Its practical side is found in Formosa and Korea where potential soldiers go to waste. It is much the same story all around the world where Communists are making gains. Russians already are training Germans for war. They would like to train Japanese.

Mr. CAPEHART. Mr. President, I hold in my hand an article entitled "The War That's Not a War," appearing in the May 5, 1951, issue of United States News and World Report. At the beginning of the article we find the following set forth:

No wonder people are confused about the war in Asia.

United States, helping Chiang's army on Formosa, won't let it fight.

Britain, fighting Chinese Communists, wants to give them Formosa, seat them in the UN, keep up diplomatic friendship.

Allies agree on Korea, disagree on Formosa and other trouble spots. Fighting Communists depends on where the fight is.

Mr. President, the article is three pages in length. I ask unanimous consent that it may be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE WAR THAT'S NOT A WAR—MYSTERIES OF FAR EASTERN POLICY DEEPEN

No wonder people are confused about the war in Asia.

United States, helping Chiang's army on Formosa, won't let it fight.

Britain, fighting Chinese Communists, wants to give them Formosa, seat them in the UN, keep up diplomatic friendship.

Allies agree on Korea, disagree on Formosa and other trouble spots. Fighting Communists depends on where the fight is.

Military advisers from United States are to start now to train the men in armies of Chiang Kai-shek on the island of Formosa. Arms, too, are to flow from United States to Chiang's forces. The priorities related to Formosa will be as high as those for arms to Europe.

There are an estimated 600,000 Chinese soldiers, 300,000 of them potential combat soldiers, under Chiang. These soldiers represent a regime that holds membership in the United Nations. Yet the United States Navy is used to make sure that none of the Chinese soldiers on Formosa get to China or go to Korea where other Chinese are waging war on the United Nations. Dean Acheson, Secretary of State, emphasized that the United States Navy will continue to blockade



DIGEST
OF
CONGRESSIONAL PROCEEDINGS
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Division of Legislative Reports
(For Department staff only)

Issued May 7, 1951
For actions of May 4, 1951
82nd-1st, No. 81

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HIGHLIGHTS: House committee reported agricultural appropriation bill. House passed independent offices appropriation bill. Senate debated farm-labor bill; Sen. Ellender inserted his letter discussing Migratory Labor Commission recommendations. Senate passed export-control continuation measure. Sen. McCarran inserted his statements opposing beef-price roll-back and favoring grain for India on loan basis. Rep. Grant introduced bill to consolidate Extension Service laws.

HOUSE

1. AGRICULTURAL APPROPRIATION BILL, 1952. The Appropriations Committee reported this bill, H. R. 3973 (H. Rept. 421). Rep. Andersen reserved all points of order on the bill. (p. 4994.) Majority Whip Priest announced that there will be general debate on the bill Tues., May 8, and that reading of the bill for amendment will begin Wed. under the 5-minute rule (p. 5040).
Representatives of the Department agencies have been advised in detail of the Committee's actions on the Budget estimates for this Department. Copies of the bill and report will be distributed as soon as received, pursuant to a distribution list that has been worked out with the Department agencies. In general, copies should be obtained through the agency budget offices rather than from this office.
At the end of this Digest is a summary comparison of the Committee actions with the 1952 Budget estimates and with total anticipated funds available in 1951, and excerpts from the committee report.
2. INDEPENDENT OFFICES APPROPRIATION BILL, 1952. Passed with amendments this bill, H. R. 3880 (pp. 4994-5038). Agreed to several amendments, including these:
By Rep. Taber, to reduce the Civil Service Commission item by \$1,050,000, by a 93-55 vote (pp. 5010-11).
By Rep. McGregor, to prohibit use of GSA appropriations for moving Government agencies except within D. C. (pp. 5017-18).
By Rep. Williams, Miss., to reduce the GSA general supply fund item by \$1,426,000 (p. 5018).
By Rep. Phillips, to reduce the emergency fund for the President item from \$12,500,000 to \$1,000,000, by a 160-128 vote (pp. 5031-2, 5037).
By Rep. Smith, Wis., to prohibit use of funds in this bill "for publicity or propaganda purposes designed to support or defeat legislation pending before the Congress" (p. 5035).
By Rep. Jensen, to permit use of this bill's funds to fill only 25% of the

vacancies with certain exceptions, by a 138-94 vote (pp. 5035-6).
Rejected several amendments, including the following:

By Rep. Miller, Calif., to eliminate the rider regarding payment for annual leave (pp. 5033-4).

By Rep. Coudert, to reduce TVA by \$12,000,000, by a 71-91 vote (pp. 5026-9).

3. ALASKA LANDS. Received from the Interior Department a proposed bill "to provide for the classification of the public lands in Alaska"; to Interior and Insular Affairs Committee (p. 5047).

4. ALCOHOL. Received from the Treasury Department a proposed bill "to amend the Federal Alcohol Administration Act"; to Interstate and Foreign Commerce Committee (p. 5047).

5. ADJOURNED until Mon., May 7 (p. 5047). Legislative program for this week, as announced by Majority Whip Priest: Mon., displaced persons, estate and gift taxes; Tues. and until disposed of, agricultural appropriation bill; sometime during week, India-aid bill (p. 5040).

SENATE

6. FARM LABOR. Continued debate on S. 984, to authorize the importation from Mexico of farm workers, agreeing to vote on the bill on Monday, May 7 (pp. 4976-7). Sen. Ellender inserted his letter to the Washington Post stating that while S. 984 may differ from the conclusions of the President's Commission on Migratory Labor, "it does not ignore or flout that Commission's report" (pp. 4980-1).

Sens. Douglas and Morse submitted amendments they intend to propose to this bill (pp. 4963, 4975).

7. EXPORT CONTROLS. Passed without amendment and without debate S. J. Res. 50, to continue authority for export controls until June 30, 1953 (p. 4967).

8. FOREIGN AID. Sen. McCarran, Nev., inserted his statement favoring the shipment of grain to India only on a loan basis, and submitted an amendment he intends to propose (for himself and Sens. Bridges and Ferguson) to the grain-to-India bill, S. 872, to provide for assistance on a loan basis (pp. 4984-5).

9. BEEF PRICES. Sen. McCarran inserted his statement criticizing the recent OPS order on meat prices and favoring the rescinding of the roll-back regulation on Beef (pp. 4986-7).

10. PRICES. Discussed and passed over, on the objection of Sen. McFarland (for Sens. Long and Douglas), S. 719, to clarify the Robinson-Patman Act with regard to price differentials made in good faith (pp. 4967-9).

11. DAIRY INDUSTRY. Sen. O'Connor inserted his statement congratulating the ice-cream industry on the centennial of its founding (p. 4987).

12. FOREIGN TRADE. Sen. O'Connor inserted his statement favoring an embargo by all United Nations members on the shipment of war materials to Red China (pp. 4987-8).

13. RECESSED until Mon., May 7 (p. 4988). The program for the week is listed as follows: Mon., farm-labor bill, to be followed by H. R. 3567, the third supplemental appropriation bill, and possibly S. 872, emergency food aid for India (p. 4966).

at this time the column by Mr. Walter Lippmann, published in the Washington Post of May 1.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TODAY AND TOMORROW
(By Walter Lippmann)
STOP, LOOK, AND LISTEN

In view of what appears to be coming in the great inquiry which begins on Thursday we must ask ourselves what is going to happen to the Joint Chiefs of Staff. They face the fact that there is now to be published an only somewhat expurgated version of their most secret papers. When they wrote or approved these papers they believed that these papers would not be published—that they would be confidential for themselves, their lawful superiors, and the commanders in the field to whom they issued instructions.

There is no need to guess now about what the publication of these papers is going to prove about the best way to conduct the Korean War. But one does not have to be a prophet to see what the precedent now being set is going to do to the conduct of the United States Government.

We—that is to say the administration and the opposition and everyone else so far as I can see except a few stray dissenters—have accepted the theory that an officer, who disagrees with his orders, may by challenging the integrity of his lawful superiors compel them to open up all their files to the inspection of Congress. According to this theory the congressional investigators are the judges of what shall or shall not be published. What they decide to publish is to be treated as the evidence in a popular debate which is to pass upon the integrity and the competence of the men responsible for the defense of the Nation.

This is the theory which we are about to make into a precedent. It is being done, some say, in the name of the sacred right of the people to know all the facts. They are, I believe, profoundly mistaken. If this theory goes unchallenged, if what is about to be done is accepted as a precedent, as one of the legitimate usages of our constitutional system, the effect will not be to give the people access to the truth. The effect will be to conceal, to disguise, to falsify the truth that is given to the President and to the Congress and to the people.

Once the precedent is set, it will mean that no paper in the files of the Government can be considered truly confidential. Today, the arbiter of what is and of what is not confidential happens to be Senator RICHARD B. RUSSELL, of Georgia, an able and judicious man. But if Senator RUSSELL can browse around in the papers of the Chiefs of Staff and be the arbiter as to whether they have a right to say that this paper is too secret to be published, then his successors will also be the arbiters.

Senator RUSSELL is a Democrat who will not wish to injure fatally a Democratic administration. But his successor might be one who did wish to do just that, and he might insist, therefore, upon publishing the very documents which Senator RUSSELL has not published. Thus all the Chiefs of Staff, and I might add all other responsible officials, are on notice from here on out that some time or other any document they sign may be published in whole or in part, in its context or out of its context.

What will this do to the Chiefs of Staff? Approximately what it would do to a boy writing to his girl, to a husband writing to his wife, to a businessman writing to his partner, or to Senator TART writing to Senator WHERRY, if they felt sure that their letters were going to be published—most probably at the moment when they would cause the maximum embarrassment. Letters writ-

ten with a knowledge that they may be published will be the kind of letters that are written for publication. They will be phonies in that they will say what will look as well as possible in print. The effect will be to make the formal papers of the Government a false front which does not reveal, which in fact is designed to conceal, the truth. This is already the character of some of the paper work in the Government; it is written with an eye to the headlines which will be used when and if it is published, and what the official really thinks has to be ascertained by calling him on the telephone or asking him to lunch. But this kind of disintegration has not presumably become characteristic as yet of the papers that deal with the issues of life and death, with the military security and the high policy of the United States.

But if this evil precedent is set, that is just what will happen to these papers. They will be written for publication and they will be addressed not to the vital interests of the United States in the long run but to the passions and the prejudices and the ignorance of the moment. The papers will not be worth reading if they are written for publication. In fact they will be worse than useless in that they will not be honest.

Those who think that the right of the people to know can be met by destroying the rules of confidence and publishing anything and everything should ask themselves why they think it right, why they believe it to be part of the very substances of liberty, that some relations shall be privileged and not opened to publicity; the relations of husband and wife, of lawyer and client, of doctor and patient, of priest and his charges. Why do we protect these relationships? Is it not in order to protect our liberties? In Government the relationship between the civil power and the military, between the President and his lawful military advisers, the Joint Chiefs, is as sensitive and as critical as any of the private relations that we protect. On the integrity of the relation between the President and his advisers may depend the life of the Nation. That relation must be destroyed, it will be destroyed, if the privilege of confidence is taken away.

SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO—AMENDMENT

Mr. MORSE. Mr. President, it is necessary for the Senator from Oregon to leave the floor in order to attend the hearings of the Armed Services and Foreign Relations Committees. I ask unanimous consent at this time to submit an amendment intended to be proposed by me to section 504 of Senate bill 984, to amend the Agricultural Act of 1949, and have it printed and lie on the table so that it will be available for being called up on Monday.

The VICE PRESIDENT. Is there objection to the request of the Senator from Oregon? The Chair hears none, and the amendment will be received, printed, and lie on the table.

THE CALENDAR

The VICE PRESIDENT. Under the unanimous-consent agreement, the call of the calendar will be resumed. The next measure on the calendar will be stated.

AFFIRMATION OF FRIENDSHIP OF THE AMERICAN PEOPLE FOR ALL THE PEOPLES OF THE WORLD

The concurrent resolution (S. Con. Res. 11) reaffirming the friendship of the American people for all the peoples of the world, including the peoples of

the Soviet Union, was announced as next in order.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WHERRY. Mr. President, I should like to ask the distinguished majority leader if, after the call of the calendar is completed, and the unfinished business, Senate bill 984, to amend the Agricultural Act of 1949, is resumed, it is the intention to proceed with the consideration of that bill, even late into this evening, or to dispense with the consideration of it today—or what are the plans? Several Senators have asked me what the plans are in respect to that bill.

Mr. MCFARLAND. Mr. President, I will leave that to the chairman of the Committee on Agriculture and Forestry.

Mr. ELLENDER. Mr. President, as I understand, aside from the pending amendment, there may be two or three other amendments, but I do not expect it will take very long to consider them. I should like to conclude the consideration of the bill this afternoon if possible. It has now been before the Senate for 9 days.

Mr. WHERRY. I thank the Senator.

The VICE PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution (S. Con. Res. 11) reaffirming the friendship of the American people for all the peoples of the world, including the peoples of the Soviet Union, submitted by Mr. McMAHON, and reported from the Committee on Foreign Relations with amendments.

The first committee amendment was, on page 2, line 2, after the words "That the", to strike out "Members of this."

The amendment was agreed to.

Mr. McMAHON. Mr. President, the concurrent resolution which was unanimously reported to the Senate, and which is sponsored by approximately one-fourth of the membership of this body, reaffirming the friendship of the Senate for the peoples of Russia and for the peoples of the lands over which the Kremlin has control, is a vivid testimonial to what is in the minds and hearts of the American people. I call particular attention to the fact that when this concurrent resolution is adopted by the Senate and by the House of Representatives, as I know it will be, it will be transmitted to the President of the United States for transmission to the Kremlin, so that it may be disseminated to the Russian people.

The Soviet Union has tried, and with a good deal of success, to steal the word "peace" and arrogate it to themselves. Unfortunately, never was a greater fraud perpetrated on the people of the world. The concurrent resolution represents a concrete effort which we are making to demonstrate to the peoples of the world that what the American people want and what the Congress wants above everything else is peace. Of course, Mr. President, we mean a peace in the real sense of the word, a peace with honor and with justice. I believe that the message

we are now getting under way to the peoples of the Soviet Union may well result in bringing about a better state of relations between them and the Government of the United States.

The VICE PRESIDENT. The clerk will state the remaining committee amendments.

The remaining committee amendments were on page 2, line 2, after the word "Congress", to insert "of the United States"; in line 5, after the word "Union", to strike out "by declaring" and insert "and declares"; in line 9, after the word "of", to strike out "America's" and insert "the"; in the same line, after the word "desire", to insert "of the American people"; in line 13, after the word "people", to insert "and their Government"; in line 19, after the word "between", to strike out "them" and insert "the United States Government", and in line 20, after the word "Government", to insert "and invite the peoples of the Soviet Union to cooperate in a spirit of friendship in this endeavor", or as to make the concurrent resolution read:

Resolved, etc., That the Congress of the United States reaffirm the historic and abiding friendship of the American people for all other peoples, including the peoples of the Soviet Union, and declares—

That the American people deeply regret the artificial barriers which separate them from the peoples of the Union of Soviet Socialist Republics, and which keep the Soviet peoples from learning of the desire of the American people to live in friendship with all other peoples, and to work with them in advancing the ideal of human brotherhood; and

That the American people and their Government desire neither war with the Soviet Union nor the terrible consequences of such a war; and

That, although they are firmly determined to defend their freedom and security, the American people welcome all honorable efforts to compose the differences standing between the United States Government and the Soviet Government and invite the peoples of the Soviet Union to cooperate in a spirit of friendship in this endeavor; and

That the Congress request the President of the United States to call upon the Government of the Union of Soviet Socialist Republics to acquaint the people of the Soviet Union with the contents of this resolution.

The amendments were agreed to.

The concurrent resolution, as amended, was agreed to.

The preamble was agreed to.

BILL PASSED OVER

The bill (S. 872) to furnish emergency food aid to India was announced as next in order.

Mr. ELLENDER. Over.

The PRESIDING OFFICER (Mr. Pastore in the Chair). The bill will be passed over.

SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO—UNANIMOUS-CONSENT AGREEMENT

Mr. McFARLAND. Mr. President, I wish to present a unanimous-consent agreement at this time.

The PRESIDING OFFICER. Is there objection?

Mr. WHERRY. Mr. President, I did not hear the request.

Mr. McCARRAN. Mr. President, may we not conclude the calendar before that is done?

Mr. McFARLAND. Mr. President, it will take but a moment or two. It relates to a limitation of debate. Senators are desirous of knowing whether we are going to proceed with the unfinished business, the bill relating to the importation of certain agricultural labor. There are so many Senators engaged in the hearings in the Armed Services Committee and the Foreign Relations Committee that I feel we ought to have a better attendance when the bill is being considered.

In order to expedite consideration of the bill, Mr. President, I ask unanimous consent that at the hour of 12 o'clock on Monday next, debate on any amendment to the unfinished business, or any motion, including appeals, which may be pending or which may thereafter be proposed to the bill (S. 984) to amend the Agricultural Act of 1949, shall be limited to not exceeding 40 minutes, to be equally divided, and controlled, in the case of committee amendments, by the Senator from Louisiana [Mr. ELLENDER] and the Senator from Nebraska [Mr. WHERRY], respectively, and, in the case of individual amendment or motions, by the mover of any such amendment or motion and the Senator from Louisiana [Mr. ELLENDER], respectively; provided, first, that in the event the Senator from Louisiana [Mr. ELLENDER] is in favor of any such individual amendment or motion, the time in opposition thereto shall be controlled by the Senator from Nebraska [Mr. WHERRY] or some Senator designated by him; and second, that no amendment which is not now printed and lying on the table—that is, any amendment that may not already have been submitted—may be submitted by a Senator intended subsequently to be proposed by him and ordered to lie on the table which is not germane to the subject matter of the bill shall be received; ordered further, that debate on the question of the final passage of said bill shall be limited to not to exceed 2 hours, to be equally divided and controlled by the Senator from Louisiana [Mr. ELLENDER] and the Senator from Nebraska [Mr. WHERRY].

The PRESIDING OFFICER. Is there objection to the requested unanimous-consent agreement?

Mr. LANGER. Mr. President, reserving the right to object, I should like to ask a question.

Mr. McFARLAND. Certainly.

Mr. LANGER. Is it the intention not to have the Senate vote on any amendments at all this afternoon?

Mr. McFARLAND. Yes; we would not take them up at all today, if the agreement is reached; we would let the bill and the amendments go over until Monday.

Mr. LANGER. I have no objection.

Mr. ELLENDER. Mr. President, reserving the right to object, am I to understand that it is the purpose to have the Senate take a recess until Monday, if the unanimous-consent agreement is entered?

Mr. McFARLAND. Yes; after the speeches for today are completed and after the call of the calendar is concluded.

Mr. WILLIAMS. Mr. President, I shall have to object,

The PRESIDING OFFICER. Objection is heard.

Mr. McFARLAND. Mr. President, will the Senator from Delaware withhold his objection?

Mr. WILLIAMS. I am willing to withhold the objection temporarily.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. HAYDEN. I should like to invite attention—

Mr. WILLIAMS. Mr. President, I shall withhold the objection temporarily, but I think I shall have to object.

Mr. McFARLAND. Very well; if the Senator from Delaware is going to object—

Mr. WHERRY. Mr. President, I should like to ask a question of the distinguished Senator from Arizona. In the proposed agreement is there a provision that one hour or one hour and a half may be allowed to each side for debate on the bill? If so, then I could allot time to any Senator on my side of the aisle who wishes to make a speech at that time.

Mr. McFARLAND. The proposed agreement includes such a provision, namely, that 2 hours be allowed, to be divided equally.

Mr. President, in the previous unanimous-consent request there is a provision which I would include in this one, namely, that either of the Senators in charge of the time may yield any part of the time on the bill for discussion of an amendment.

Mr. WHERRY. Mr. President, I shall ask the distinguished majority leader to withhold the unanimous-consent request for a few minutes, so as to enable us to see if we can work it out.

Mr. McFARLAND. Yes; I shall do so.

Mr. HAYDEN. Mr. President, I should like to make an inquiry of the majority leader.

Mr. McCARRAN. Mr. President, may we now proceed with the call of the calendar?

The PRESIDING OFFICER. The junior Senator from Arizona has yielded to his colleague, the senior Senator from Arizona.

Mr. HAYDEN. Mr. President, I merely wish to invite the attention of the majority leader and the minority leader to the fact that the supplemental appropriation bill is on the calendar. If we can dispose today of all the committee amendments which are not controversial—of course there are one or two amendments which are controversial—I think that would expedite the handling of the public business. I suggest that after the completion of the call of the calendar, if the Senate has no further business to transact at that time, the appropriation bill be considered and acted upon to the extent I have indicated, because it is an important measure in the public interest and should be passed as soon as possible.

Mr. McFARLAND. That would expedite the transaction of the business of the Senate.

Mr. McCARRAN. Mr. President, will that mean that that appropriation bill would then displace the agricultural labor bill?

Mr. HAYDEN. Temporarily, yes, if that is agreeable; if there is to be no

other business before the Senate this afternoon, I should like to have the agricultural labor bill temporarily laid aside, and have the Senate consider the appropriation bill.

Mr. WHERRY. It would be the Senator's intention to ask unanimous consent to that effect, namely, that the agricultural labor bill be temporarily laid aside. Is that correct?

Mr. McFARLAND. Exactly.

Mr. WHERRY. Mr. President, I should like to state to the Senator from Arizona that the distinguished Senator from Delaware and the distinguished Senator from Louisiana have made an arrangement which, if accepted as a part of the unanimous-consent agreement, will iron out their problems.

Mr. ELLENDER. The suggestion is to modify the unanimous-consent agreement so as to provide that instead of dividing the time from 12 o'clock, it be divided from 2 o'clock.

Mr. WHERRY. And that the Senator from Delaware [Mr. WILLIAMS] be recognized at 12 o'clock.

Mr. ELLENDER. That is correct.

Mr. WHERRY. Mr. President, if there is no objection, and if it is agreeable to the Senator from Oregon, I would say it is unnecessary to control the time on the bill. However, that part of the proposed agreement can be left as it is.

Mr. McFARLAND. Mr. President, I am willing to modify my request to that extent. I regret very much that we have to do so. However, as I have previously said, in working out unanimous-consent agreements, we have to do the best we can.

I feel that if Congress is going to get away from Washington this summer, we must make faster progress. If Senators who wish to make speeches will make them late in the day, after the Senate concludes its business for the day, I shall be perfectly willing to remain and hear their speeches. If we proceed in that way, we shall expedite matters very much.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. WILLIAMS. I hate to make objection. I am not trying to get the floor at 12 o'clock on Monday necessarily; but there are many amendments, and the debate on the bill and on the amendments could consume most of the day. That is why I suggested what I did.

Mr. McFARLAND. Certainly. Would it be agreeable to the Senator from Delaware that he have the floor at 12 o'clock and that the limitation on debate begin at 2 o'clock or whenever the Senator from Delaware finishes his speech, whichever is earlier?

Mr. WILLIAMS. Yes.

Mr. WHERRY. That will be satisfactory.

Mr. McFARLAND. Very well; I so modify the request.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement as modified?

Mr. WHERRY. Mr. President, in order that there shall be no mistake, let me state that the proposal now is that

the distinguished senior Senator from Delaware [Mr. WILLIAMS] is to be recognized when the Senate convenes at noon on Monday, and that the time between then and 2 p. m., if the Senator from Delaware wishes to use it, is agreed to be given to him; or, if he does not use all that time, that the limitation on debate begin whenever the Senator from Delaware concludes his speech or at 2 o'clock, whichever is earlier.

Mr. McFARLAND. Mr. President, my colleague, the senior Senator from Arizona [Mr. HAYDEN] has suggested that after we conclude the speeches this afternoon, if it is not then too late, we temporarily lay aside the agricultural labor bill and take up the supplemental appropriations bill, and dispose of the noncontroversial amendments to that bill.

Mr. WHERRY. Some amendments which are to be offered to the bill are to be offered by Members who are not now present.

Mr. McFARLAND. We understand that. The proposal is simply that we dispose of the noncontroversial committee amendments.

Mr. WHERRY. Mr. President, I always hesitate a little to agree to such a proposal. I will agree if the majority leader insists. However, the difficulty is to ascertain which amendments are noncontroversial.

I would dislike very much to let an amendment be adopted on the assumption that it was noncontroversial, and then later find that some Senator regarded it as a controversial amendment. So I hate to agree to such a proposal. However, if the majority leader insists, I shall let it go.

Mr. DOUGLAS. Mr. President, reserving the right to object, let me ask the eminent majority leader whether there will be any voting this afternoon on controversial amendments.

Mr. McFARLAND. It is not anticipated that there will be any voting on controversial amendments this afternoon.

Mr. McCARRAN. Mr. President, is this proposal a part of the unanimous-consent agreement which has been under discussion for some time?

Mr. McFARLAND. No.

Mr. McCARRAN. Then why do not we dispose of one proposal at a time.

Mr. McFARLAND. Very well.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement which has previously been stated, together with the modifications which have been stated?

Mr. SCHOEPPPEL. Mr. President, reserving the right to object, are we now discussing the unanimous-consent request of the distinguished senior Senator from Arizona [Mr. HAYDEN]?

Mr. McFARLAND. No. I had understood that the unanimous-consent agreement I had proposed had already been agreed to.

Mr. ELLENDER. No, it had not been agreed to.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement, as modified, which has been submitted by the Senator from Arizona [Mr. McFARLAND]? The Chair

hears none, and the proposed agreement as modified is adopted.

The unanimous-consent agreement as reduced to writing is as follows:

Ordered, That on the calendar day of Monday, May 7, 1951, at the hour of 12 noon, Mr. WILLIAMS be entitled to the floor; that beginning at the hour of 2 o'clock on said day, or at the conclusion of Mr. WILLIAMS' address, if prior to said hour, debate upon any amendment or motion (including appeals) that may be pending or that may thereafter be proposed to the bill (S. 984) to amend the Agricultural Act of 1949 shall be limited to not exceeding 40 minutes, to be equally divided and controlled, in the case of committee amendments, by Mr. ELLENDER and Mr. WHERRY, respectively, and, in the case of individual amendments or motions, by the mover of any such amendment or motion and Mr. ELLENDER, respectively: *Provided*, (1) That in the event Mr. ELLENDER is in favor of any such individual amendment or motion, the time in opposition thereto shall be controlled by Mr. WHERRY or some Senator designated by him; and (2) that no amendment not heretofore submitted by a Senator, intended to be subsequently proposed by him, and which was ordered to lie on the table and to be printed, not germane to the subject matter of the bill shall be received.

Ordered further, That debate on the question of the final passage of the said bill shall be limited to not exceeding 2 hours, to be equally divided and controlled by Mr. ELLENDER and Mr. WHERRY or some Senator designated by him, respectively: *Provided, however*, That during the consideration of any individual amendment or motion, either of said Senators may yield to the mover of any such amendment or motion, or to one who is opposed thereto, any portion of such time of 1 hour allotted to him under this paragraph as he may desire.

CALL OF THE CALENDAR

Mr. McCARRAN. Mr. President, may we resume the calling of the calendar?

The PRESIDING OFFICER. The clerk will call the next bill on the calendar.

EXPANSION OF AUTHORITY OF COAST GUARD TO INCLUDE THE TRUST TERRITORY OF THE PACIFIC ISLANDS

The bill (S. 1025) to expand the authority of the Coast Guard to establish, maintain, and operate aids to navigation to include the Trust Territory of the Pacific Islands was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SCHOEPPPEL. Mr. President, reserving the right to object, may we have an explanation of the bill?

Mr. JOHNSON of Colorado. Mr. President, since the end of the war, the Coast Guard has been maintaining aids to navigation, principally buoys, in the so-called Trust Territory of the Pacific Islands, consisting of the Marianas, the Carolines, and the Marshall Islands. Up until now the Coast Guard has been able to maintain those aids to navigation in the Trust Territory even though that area is not specifically mentioned in the statute, by reason of the fact that the islands have been under naval government and thereby meet the requirements of the law.

However, on July 1, 1951, the government of the Trust Territory will be transferred to the Department of the Interior, and it will no longer be under

naval government. Hence it is extremely doubtful that the Coast Guard will have authority to continue to maintain these essential aids to navigation after that date. If the bill is enacted, the authority of the Coast Guard will remain unimpaired after the transfer of the islands to the Interior Department, which, I repeat, will take place on July 1.

Mr. SCHOEPPEL. Mr. President, will the Senator yield for a question?

Mr. JOHNSON of Colorado. I yield.

Mr. SCHOEPPEL. Am I correct in understanding that what the Senator is now indicating is to the effect that the Interior Department will have no right or authority whatever which would supersede the authority of the Coast Guard?

Mr. JOHNSON of Colorado. That is correct.

Mr. SCHOEPPEL. I have no objection.

Mr. JOHNSON of Colorado. The Department of the Interior will not perform the function of providing the aids to navigation, and the Coast Guard will be denied the right to exercise the function, so that makes the bill necessary.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the last sentence of section 81 of title 14, United States Code, is amended by inserting after the word "possessions", the phrase "the Trust Territory of the Pacific Islands," so that the sentence will read as follows: "Such aids to navigation other than loran stations shall be established and operated only within the United States, its Territories and possessions, the Trust Territory of the Pacific Islands, and beyond the territorial jurisdiction of the United States at places where naval or military bases of the United States are or may be located, and at other places where such aids to navigation have been established prior to June 26, 1948."

BILL PASSED OVER

The bill (H. R. 1612) to extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as amended, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SCHOEPPEL. Over, by request.

LEASING OF SPACE WITHIN AIRPORTS IN ALASKA

The bill (S. 1183) to amend the act entitled "An act to authorize the construction, protection, operation, and maintenance of public airports in the Territory of Alaska," as amended, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SCHOEPPEL. Reserving the right to object, may we have an explanation of this measure?

Mr. JOHNSON of Colorado. Mr. President, under the present law, the Secretary of Commerce is empowered to lease space or property at the airports

in Anchorage and Fairbanks, Alaska, for a period not to exceed 10 years. This limitation has made it impossible for the Civil Aeronautics Administration to interest private persons in providing adequate hangar facilities at the two airports. In other words, they cannot make a lease to extend beyond 10 years. The purpose of the bill is to extend the 10-year period and make it possible to have a lease run for 20 years.

The early construction of hangar facilities on the two airports in Alaska is urgent and must be accomplished within the next working season. Since the construction of hangar facilities would require funds in addition to the \$17,000,000 already authorized for the airports, the Civil Aeronautics Administrator is unable to provide such facilities, and since the cities of Anchorage and Fairbanks are not disposed to sponsor such projects, it is necessary that private persons be interested in constructing the facilities. This bill would encourage that happy consummation. If the Department of Commerce were authorized to grant leases for a period of 20 years, as here proposed, private financing would be attracted. That is the purpose of the bill.

Mr. SCHOEPPEL. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 1183) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 5 of the act entitled "An act to authorize the construction, protection, operation, and maintenance of public airports in the Territory of Alaska," approved May 28, 1948 (62 Stat. 277), as amended, is amended to read as follows:

"Sec. 5. The Secretary of Commerce is empowered to lease under such conditions as he may deem proper and for such periods as may be desirable (not to exceed 10 years) space or property within or upon the airports for purposes essential or appropriate to the operation of the airports: *Provided*, That real property within or upon the airports may be leased for purposes of erecting structures necessary or incident to the operation of the airports for periods not exceeding 20 years."

BILL PASSED OVER

The bill (H. R. 3587) making supplemental appropriations for the fiscal year ending June 30, 1951, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection?

Mr. SCHOEPPEL. Over.

The PRESIDING OFFICER. The bill will go over.

RELIEF OF SUNDRY FORMER STUDENTS OF THE AIR RESERVE OFFICERS' TRAINING CORPS

The bill (S. 1227) for the relief of sundry former students of the Air Reserve Officers' Training Corps was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. Raymond Pohl, Jr., 505A Magnolia Ave-

nue, Frederick, Md., \$83.95; Dan K. Rawlings, 205 Laurel Avenue, Corbin, Ky., \$13.10; Harold L. Reed, 201 West Lindell Street, West Frankfort, Ill., \$12.20; Marcus A. Sessi, 417 West Pennview Street, Pittsburgh, Pa., \$8; Robert D. Simmons, 835½ Broadway, New Orleans, La., \$23.85; Harry P. Smith, Jr., 2225 Chesapeake Avenue, Hampton, Va., \$60.66; Paul E. Smith, 2109 Eof Street, Wheeling, W. Va., \$6.10; Raymond C. Sowko, Glennland Apartments, State College, Pa., \$444.40; Clyde C. Spears, 347 Linden Walk, Lexington, Ky., \$236.60; Donald E. Spears, 123 West Central Avenue, Belle, W. Va., \$212.70; Homer R. Steele, route 1, Fairview, W. Va., \$142; John D. Stiles, Wadestown, W. Va., \$110.20; George F. Stock, Jr., Hollandale, Miss., \$236.95; David A. Stockton, 105 East Seventh Street, box 256, Ritzville, Wash., \$179.65; Frank A. Sullivan, 7949 Susquehanna Street, Pittsburgh, Pa., \$396.80; William K. Sutton, 981 Fincastle Road, Lexington, Ky., \$141.25; Floyd Ramsey Tarr, 3729 Marlomont Drive, Weirton, W. Va., \$170.05; Hagop H. Terzagian, 217 Myrtle Avenue, Jersey City, N. J., \$338.85; Jack Alfred Thalmer, 4518 West Grace Street, Richmond, Va., \$226.80; Eugene R. Thomas, 9 South York Street, Wheeling, W. Va., \$223.20; Forest G. Thompson, 2201 Frederica Street, Owensboro, Ky., \$157.80; Joseph C. Thompson, box 700, O. M. S., Travis AFB, Fairview, Calif., \$423.25; Thomas W. Tigertt, box 93, Wilmer, Tex., \$583.90; Richard J. Torchia, 630 Dow Avenue, Carnegie, Pa., \$229.80; Lee C. Truman, Jr., 2422 Allen Street, Owensboro, Ky., \$252.40; Charles B. Upshaw, 394 West Wesley Road NW, Atlanta, Ga., \$191; George J. Walters, Jr., 438 South Dallas Avenue, Pittsburgh, Pa., \$435.55; Gilbert Watz, 834 Snyder Avenue, Philadelphia, Pa., \$366.45; Arthur J. Weinstein, 501 Mannheim Street (22-A), Philadelphia, Pa., \$200.10; Robert J. Weiss, 111 West Cherryhill Street, Pittsburgh, Pa., \$239.25; James Bernard Welborn, 442 Cherry Street, Russellville, Ky., \$107.55; Earl M. Williams, box 204, Evarts, Ky., \$297.50; Edwin J. Williams, Jr., 1832 Chuckatuck Avenue, Petersburg, Va., \$505.60; Charles P. Wilson, Jr., route 1, Walkersville, W. Va., \$404.16; and Harold W. Wilson, 205½ Fourth Street, Parkersburg, W. Va., \$324.20. The payment of said sums shall be in full satisfaction and final settlement of all claims of the above-named claimants against the United States for damage to or loss or destruction of personal property as a result of a fire that occurred on June 28, 1948, in the building in which they were quartered at Langley Air Force Base, Va.: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent of any claim shall be paid to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

BETTY MINORU KAWACHI

The Senate proceeded to consider the bill (S. 915) for the relief of Betty Minoru Kawachi which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause, and insert:

That in the administration of the immigration and naturalization laws the provisions of section 13 (c) of the Immigration Act of 1924, as amended, shall not apply to Betty Minoru Kawachi, the minor child of Mrs. James J. Leatherman, a citizen of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PHILIP J. HINCKS

The Senate proceeded to consider the bill (S. 1113) for the relief of Philip J. Hincks, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 6, after the words "sum of", to strike out "\$152.40", and insert "\$150", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Philip J. Hincks, of Middlebury, Vt., the sum of \$150. The payment of such sum shall be in full payment of all claims of the said Philip J. Hincks against the United States for reimbursement of money paid for uniforms which were required during his training as a midshipman at the United States Naval Reserve Midshipman's School, Chicago, Ill.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ATHANASIOS ELIAS CHELIOTIS

The Senate proceeded to consider the bill (S. 1254) for the relief of Athanasios Elias Cheliotis, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the immigration and naturalization laws, Athanasios Elias Cheliotis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 2929) to authorize the Postmaster General to prohibit or regulate the use of Government property under his custody and control for the parking or storage of vehicles was announced as next in order.

The PRESIDING OFFICER. Is there objection?

Mr. LANGER. Over.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

THE UNITED STATES MARINE CORPS

The bill (S. 677) to fix the personnel strength of the United States Marine Corps and to make the Commandant of the Marine Corps a permanent member of the Joint Chiefs of Staff, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McFARLAND. Mr. President, will the Senator from Illinois or the Senator from Tennessee give us an explanation of the bill?

Mr. KEFAUVER. Mr. President, this bill would make a good compromise between the points of view with reference to the Marine Corps. Section 2 has been rewritten in such a way as not to give the Commandant of the Marine Corps a vote with the Joint Chiefs of Staff, but on matters which pertain to the Marine Corps he would have an opportunity of being heard and of filing supporting memoranda for the consideration of the Secretary of Defense.

It then provides four full strength combat divisions for the Marine Corps. The evidence shows that they are needed, and that this fire power can be obtained through the marines more economically than in any other way. The bill, sponsored by the Senator from Illinois [Mr. DOUGLAS], has the unanimous approval of the Committee on Armed Services. If there are questions, I shall be glad to yield.

Mr. DOUGLAS. Mr. President, as the eminent junior Senator from Tennessee has stated, the bill fixes the floor under the strength of the Marine Corps at four full combat divisions, with four supporting air wings and allied service troops and organizations. It provides, however, that there shall not be more than 400,000 men in the Marine Corps, and thus fixes a ceiling to the Marine Corps. It is anticipated that 4 full divisions will be supplied, with a total of approximately 300,000 men, so the floor is 300,000 men. The ceiling is 400,000.

The compromise on the second section is that instead of the Commandant of the Marine Corps being a full-fledged member of the Joint Chiefs of Staff, he is to be a consultant member. The bill was introduced by 44 Members of the United States Senate, and was reported unanimously by the Armed Services Committee. I very much hope that it may be passed at this time.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. DOUGLAS. I am very glad to yield.

Mr. LANGER. I do not quite understand the amendment which is proposed to the bill. Will the Senator explain it a little more fully?

Mr. DOUGLAS. Yes. In its original form, the bill provided that the Commandant of the Marine Corps was to be a full-fledged member of the Joint Chiefs of Staff. As amended, he is not to be a full-fledged member, but a consultant member, and when matters affecting the Marine Corps come up, if he disagrees with the decision, he is to be privileged to have direct communication with the Secretary of the Navy and the President.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McCARRAN. Mr. President, as I understand, the Senator from Oregon, who has left the floor, has offered an amendment to this bill.

Mr. McFARLAND. No; that was an amendment proposed to the unfinished business, Senate bill 984, the farm-labor bill.

Mr. McCARRAN. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services with amendments, on page 2, line 4, to strike out the word "less" and insert "more", and on page 2, line 5, to strike out section 2 and insert a new section, as follows:

Sec. 2. The Commandant of the Marine Corps shall be a consultant to the Joint Chiefs of Staff on all problems before the Joint Chiefs of Staff. On matters in which the Marine Corps may be concerned he shall be permitted to be heard and to file a supporting memorandum for consideration by the Secretary of Defense and the President.

So as to make the bill:

Be it enacted, etc., That the first sentence of section 106 (c) of the National Security Act of 1947 is hereby amended to read as follows: "The United States Marine Corps, within the Department of the Navy, shall include four full-strength combat divisions, four full-strength air wings, and such other land combat, aviation, and other services as may be organic therein, and the personnel strength of the Regular Marine Corps shall be maintained at not more than four hundred thousand."

Sec. 2. The Commandant of the Marine Corps shall be a consultant to the Joint Chiefs of Staff on all problems before the Joint Chiefs of Staff. On matters in which the Marine Corps may be concerned he shall be permitted to be heard and to file a supporting memorandum for consideration by the Secretary of Defense and the President.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to fix the personnel strength of the United States Marine Corps, and to establish the relationship of the Commandant of the Marine Corps to the Joint Chiefs of Staff."

RESOLUTION PASSED OVER

The resolution (S. Res. 133) to discharge the Committee on the District of Columbia of the Senate from the further consideration of S. 656, to provide for home rule and reorganization in the District of Columbia, was announced as next in order.

The PRESIDING OFFICER. Is there objection?

Mr. LANGER. Over.

The PRESIDING OFFICER. Objection is heard, and the bill will go over.

DIRECTOR OF THE DISTRICT OFFICE OF CIVIL DEFENSE

The bill (H. R. 3297) to authorize the Commissioners of the District of Columbia to appoint a member of the Metropolitan Police Department or a member of the Fire Department of the District of Columbia as Director of the District Office of Civil Defense, was announced as next in order.

The PRESIDING OFFICER. Is there objection?

Mr. SCHOEPEL. Reserving the right to object, may we have an explanation of this measure? Apparently there is no report on it.

Mr. McCARRAN. I ask that the bill go over.

Mr. KEFAUVER. Mr. President, if an explanation is desired, I may say that I know a little something about the bill.

Mr. McCARRAN. I do not think there is a report in print, and I respectfully request that the bill go over.

The PRESIDING OFFICER. The Chair is informed that there is a report.

Mr. KEFAUVER. There is a report.

Mr. McCARRAN. Mr. President, I see a report has now come in. It came in late today.

The PRESIDING OFFICER. Does the Senator from Nevada withhold his objection?

Mr. McCARRAN. I withhold my objection.

Mr. JOHNSTON of South Carolina. Mr. President, I, myself, objected to this bill once before, and I spoke to some Senators about it. It has been corrected, insofar as the matter of retirement is concerned. The appointment of one of the members of either the Fire Department or the Metropolitan Police Department as Director of the District Office of Civil Defense, as I see it, is necessary at this time, and the bill has been amended to meet all the objections made heretofore.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. McCARRAN. I withdraw my objection.

There being no objection, the Senate proceeded to consider the bill (H. R. 3297) to authorize the Commissioners of the District of Columbia to appoint a member of the Metropolitan Police Department or a member of the Fire Department of the District of Columbia as Director of the District Office of Civil Defense, which had been reported from the Committee on the District of Columbia with an amendment, on page 2, line 22, after the word "greater", to strike out the colon and the following additional proviso: "And provided further, That should such member, while serving as Director of the Office of Civil Defense for the District of Columbia, elect to retire under the provisions of the Civil Service Retirement and Disability Act approved May 29, 1930, as amended, he may withdraw the retirement funds deposited in accordance with the provisions of section 12 of such act approved September 1, 1916, as amended."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

APPLICATION OF DIVIDENDS ON NATIONAL SERVICE LIFE INSURANCE IN PAYMENT OF PREMIUMS

The PRESIDING OFFICER. The next bill is Calendar 198, House bill 321, which went to the foot of the calendar. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 321) to provide on and after January 1, 1952, dividends on national service life insurance shall be applied in payment of premiums unless the insured has requested payment of dividends in cash.

Mr. SCHOEPEL. Reserving the right to object, may we have an explanation of the bill? That is primarily the reason it went to the foot of the calendar.

Mr. FREAR. Mr. President, I thank the Senator from Kansas, and I shall endeavor to make a brief explanation.

The purpose of the bill is to provide that until and unless the Veterans' Administration has received from an insured a request in writing for payment in cash, any dividend accumulations and unpaid dividends payable after January 1, 1951, shall be applied in payment of premiums becoming due on insurance subsequent to the date of the dividend.

The present law provides that dividends must be paid in cash and may not be used for payment of premiums, except upon a written request of the insured. The bill would substitute automatic application of the dividend as a premium payment for an optional one, unless the Veterans' Administration receives from the insured a request in writing for payment in cash.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 321) to provide that on and after January 1, 1952, dividends on national service life insurance shall be applied in payment of premiums unless the insured has requested payment of dividends in cash was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. That concludes the call of the calendar.

The Chair lays before the Senate the unfinished business, Senate bill 984.

SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO

The Senate resumed the consideration of the bill (S. 984) to amend the Agricultural Act of 1949.

Mr. ELLENDER. Mr. President, in its issue of May 2, the Washington Post printed an editorial entitled "Cheap Farm Labor." I ask unanimous consent that this editorial, together with a letter dated May 3, 1951, signed by me and addressed to the editor of the Washington Post, be printed in the body of the RECORD following my remarks.

There being no objection, the editorial and the letter were ordered to be printed in the RECORD, as follows:

[From the Washington Post of May 2, 1951]

CHEAP FARM LABOR

The Senate is now about ready, after 3 days of debate, to come to a vote on Senator ELLENDER's bill for the recruitment and admission to the United States of Mexican agricultural workers. The bill was framed and studied by the Committee on Agriculture and Forestry before the recently issued report of the President's Commission on Migratory Labor became available. It ignores, or flouts, the most important recommendations of that Commission. Indeed, Senator ELLENDER's bill, if enacted, would serve merely to perpetuate shocking conditions in the agriculture of the Southwest that do grave

injury to American and to Mexican farm laborers alike. Senators CHAVEZ, HUMPHREY, and LEHMAN have rendered valuable service in exposing the evils and inadequacies of this legislation. We hope that the amendments they have urged will prevail.

Senator CHAVEZ' action on the measure merits special commendation. Many of the big growers in his home State of New Mexico want to see it enacted without any changes—because they want the Mexican peons who can be brought in under contract to harvest crops and then sent back where they came from. The justification for bringing them in is that an adequate supply of American farm workers is not available. But the fact is, as the President's Commission made clear, that there are plenty of domestic workers available if the growers would only give them decent wages and decent working conditions. The importation of poverty-stricken Mexican peons in years past has operated to drive down farm wages and to reduce a million American farm workers to a state of homeless, rootless migrancy.

The Mexican Government now insists—altogether properly, in our judgment—that certain minimum conditions be met by the growers for the care of contract workers brought in from Mexico. Equivalent conditions—and priority in consideration—should be given to domestic workers. In addition to this, responsibility for determining whether foreign workers are actually needed should be vested directly in the Secretary of Labor and not left to the discretion of State and regional directors of employment security; the latter are simply too susceptible to the pressure of the big growers. And, finally, there ought to be a stringent prohibition against the employment of so-called wetbacks—Mexicans who come into the country illegally. Without such safeguards, the Ellender bill would serve, as Senator CHAVEZ charged, to bring back the things which Lincoln did away with and to bring about peonage in my State and in certain other areas of the United States.

The demand that such safeguards be included in the bill implies no hostility to Mexican immigrants and no desire to keep American growers from obtaining all the labor they need. But the misery of the Mexicans must no longer be exploited to the disadvantage of themselves and of hungry workers on this side of the border.

UNITED STATES SENATE, COMMITTEE ON AGRICULTURE AND FORESTRY,

Washington, D. C., May 3, 1951.

Mr. HERBERT ELLISTON,
Editor, the Washington Post,
Washington, D. C.

DEAR Mr. ELLISTON: An editorial published in the Washington Post May 2, 1951, charged that the bill, S. 984, recommended for enactment by the Senate Committee on Agriculture and Forestry, "ignores, or flouts, the most important recommendations of that Commission" (the President's Commission on Migratory Labor). I should like to point out that the committee considered this legislation and ordered it reported to the Senate before the report of the Commission was issued. Therefore, I submit that although the legislation may honestly differ from the conclusions of the President's Commission, it does not ignore or flout that Commission's report.

The only purpose of S. 984 is to enable agricultural producers in this country to continue in a legal manner to import needed farm workers from Mexico where it is economically feasible to do so. The Mexican Government has served notice they intend to terminate the present international agreement under which the program is now operating on June 30, 1951, unless the United States Government is authorized to do the actual recruiting of agricultural workers in

Mexico, and will guarantee compliance by employers in this country with the individual work contract. S. 984 would, therefore, authorize our Government to carry out its part of the tentative agreement reached with Mexico this year on these modifications. If the bill is not enacted, there will be no legal program for importing Mexican workers after June 30, 1951.

The Commission on Migratory Labor took nearly a year to make its study. I am sure you will agree with me that it would be impossible for a committee in Congress to determine the validity and merit of the recommendations of the Commission and have the Congress enact legislation based on the committee's findings by June 30.

The Commission is properly concerned with the welfare of domestic migratory farm workers in this country. However, the extent to which the Federal Government will pay transportation and subsistence costs, prescribe minimum wages, and guarantee certain standards of working conditions, medical services, and housing is a major question of national policy. Establishing such policy is not the purpose of S. 984.

While it is true the bill as reported provided that the director of State employment service shall certify foreign workers are needed, the bill was amended on the floor of the Senate prior to publication of the editorial to provide that the Secretary of Labor shall make such certification.

Statements have been made during debate on the bill, and I believe the same conclusions have been drawn in the Commission's report, that sufficient domestic labor is available for agricultural employment if proper recruitment efforts were to be made. I should like to outline the requirements of the United States Employment Service before it will certify the unavailability of domestic labor.

First, every employer must file an order with a local employment office requesting domestic labor. The local office searches its files for qualified workers, and if unable to recruit the labor on the basis of its records, resorts to other recruitment devices which commonly include use of the press and radio. When the local office has been unsuccessful in its own jurisdiction, it originates a clearance order which will reach every office in the State, before the effort is extended beyond State lines. Each local office attempts to recruit the needed labor.

If there is no labor supply within the State, the State office of the employment service sends the order to adjoining States, where it goes to local offices thought to have a potential supply of labor. Those local offices recruit labor through the use of their own files, and by other recruitment devices.

Should adjoining States be unable to furnish the labor, the order goes to a regional office of the United States Employment Service, which sends the order to other States which may have a potential supply of labor. If the regional office first receiving the order and adjoining regions cannot locate a source of labor supply, the order is transmitted to the Washington headquarters, who transmit the order to distant States which may have a potential labor supply. When these efforts do not produce the needed workers, then certification is made that Mexican and other foreign workers can be imported. Under such a system, I cannot see how available domestic workers fail to be utilized before foreign workers are imported.

Another major problem now being discussed in relation to this legislation is the illegal immigration of Mexican workers, commonly known as wetbacks. The bill prohibits the recruiting of wetbacks under the program authorized by the legislation, which is a change from the present program. Furthermore, it is evident that if we don't have a legal program for importing Mexican

workers, the use of wetbacks will be encouraged.

There are many phases of the wetback problem to be considered in recommending Federal action. I have introduced S. 1391 which would provide severe penalties for the employment of illegal emigrants, a matter that comes within the jurisdiction of the Committee on the Judiciary. There are still other methods proposed for solving the problem, and I suggest that it would be impossible for Congress to consider all of them and enact this legislation by June 30.

Sincerely yours,

ALLEN J. ELLENDER,
Chairman.

REPLACEMENT OF GENERAL MACARTHUR

Mr. McCARRAN. Mr. President, this Nation and a substantial part of the world have been stirred and shaken by what has come to be known as "the MacArthur incident." But the word "incident" is far too narrow. This is a matter of tremendous import. It can do no harm for the Members of this body to pause for a short space and consider where the roots of this matter may lie.

This is not merely a case of an Army officer being relieved of duty. This is not merely a case of a difference of opinion between a military commander and civilian authority. It is much broader and much deeper than that. Nor is this a recent development; it goes back a long way—5 or 6 years at least, back to the policy disagreements preceding and following Japan's surrender.

Opposition to General MacArthur, and efforts to discredit him, to get him out of the way, began at that time.

The first and basic attack on General MacArthur was conceived and launched by the Communist Party.

On June 2, 1945, the National Board of the American Communist Party passed a resolution laying the duty upon all party members—and here I use the words of the Communist Party board's resolution—the duty to work "to curb those who seek American imperialist control in the Far East".

In the discussions on the resolution, both before and after it had been passed, the Communists made it clear that General MacArthur was their target. When I speak of "discussions on the resolution", I make that statement on the basis of testimony before the Internal Security Subcommittee of the Senate Committee on the Judiciary. The Communist leaders did not name General MacArthur in their resolution of June 2, 1945; but they made it clear to each other that General MacArthur was their target; and this was soon made clear to the rank and file of the party. Pursuant to that resolution, the Communists launched a vituperative propaganda attack on General MacArthur; and that attack has continued ever since.

From September 14 to September 17, 1945, James S. Allen, formerly the Comintern agent to the Philippines, writing as a foreign editor of the Daily Worker, presented an amalgamation of slanders purportedly obtained through the Communist Huks in the Philippines. In this scurrilous series General MacArthur was presented as the tool of reactionary elements in Asia.

The basis of all Communist criticism was that General MacArthur was not carrying out a revolution in Japan, but was instead working with existing law-enforcement agencies to keep order and reconstruct the country's economy. On September 19, 1945, the Daily Worker referred to him as "the flamboyant general." On September 22, 1945, the Daily Worker declared General MacArthur to be "unfit for the crucially important assignment of shaping the future of Japan."

The Communists were open in their declaration of hostility, charging that he was suppressing the "democratic elements"—meaning themselves—and making Japan "a bulwark against the Soviet Union and the progressive forces in Asia."

Their targets were the emperor and the zaibatsu, or big business interests; but in that category they placed everyone who was against a revolution in Japan along the lines which Communists call "progressive."

The Communists were intent on a hard peace for Japan, for the obvious reason that such a peace was calculated to drive the Japanese, in despair, into the Communist fold. The Communists therefore reacted violently against General MacArthur's statement on September 17, 1945, that the occupation policy he was executing was proceeding so smoothly that millions of our men would be able to return home, and billions of dollars saved, by the reduction of the occupation forces to 200,000 men within 6 months. The Communist press commended Dean Acheson when he rebuked MacArthur the next day. The Communist press on September 21, 1945, criticized President Truman for not being as firm with General MacArthur as Mr. Acheson, whose rebuke to "the flamboyant general" they warmly commended.

On October 4, the Daily Worker termed MacArthur's role in Japan as "outmoded" and insisted that the allied council, made up of the United States, Soviet Union, Great Britain, and China, administer Japan. Of course, this showed that the Communists, in endeavoring to discredit MacArthur, were trying to put the Soviet Union in a position to disrupt and paralyze the occupation and bring about the same chaos as in Germany.

With the same purpose the Daily Worker assailed the emperor as the center and backbone of reaction, linking him up with the industrialists whom they called Fascists, and making out that General MacArthur's policy was to support reactionary forces hostile to America. The truth was, of course, the exact opposite: MacArthur was in fact carrying out a policy to rehabilitate Japan along western democratic lines—this, instead of alienating her people by so-called reforms inspired by the Communists and which would have led to a totalitarian form of government.

On September 4, 1945, as a forerunner to this whole attack on MacArthur, Owen Lattimore gave a press interview in which he assailed the Zaibatsu or industrialists. The Daily Worker on September 5 gave Lattimore wide coverage, emphasizing in large type that part of his

speech which warned against suppressing the so-called democratic elements in Japan. The Communist Party immediately undertook an extensive distribution of Lattimore's attack, using their trade unions and civic groups to give it the widest possible currency.

The Communists never gave up on the idea of destroying MacArthur. They regarded him as the chief obstacle to their success in the Far East. The organs of the Cominform such as the Committee for Lasting Peace for People's Democracy announced not long ago that General MacArthur would one day be tried as a war criminal. And on April 9 last—the very day before his dismissal by the President—the Daily Worker came out with a banner lead line saying that the world was demanding his recall.

Mr. President, it is an unhappy fact that during all this period, General MacArthur was being opposed by officials of our own State Department, on much the same grounds as were being advanced by the Communists.

In order to get the proper background, let us review briefly the situation which existed in the summer of 1945, and what took place thereafter.

In the summer of 1945 Japan's defeat was imminent and the Japanese people, asking only that their Emperor be allowed to remain, were suing for peace.

General MacArthur, prepared for trouble if it should arise, took with him to Japan 25 divisions and thousands of service troops. As it turned out, the Japanese did not resist the occupation, because General MacArthur, though he had been fierce in battle, elected to treat the Japanese in defeat with restraint and with humanity. He rejected the advice of those who would have liked to impose a Morgenthau plan on Japan, and thus drive her people into Stalin's arms by harsh treatment. He made use of the Emperor in bringing the country from war to peace. He used the latter's authority and the veneration in which he is held by the Japanese people to pacify the country and lead it along the path to democracy. He was able to perform miracles of reconstruction and rehabilitation, because he enlisted the zealous cooperation of the people by the wise and restrained use of his dictatorial powers.

He meted out just punishment to all criminals and those who committed atrocities. But although urged by Communist sympathizers, short-sighted liberals, and others blinded by hatred and a list for revenge, to play the Communist game by starving and oppressing the Japanese people, he refused to kick the defeated in the teeth. Instead he gave them hope of working their passage into the free world, and thus encouraged their democratic reorientation. He allowed the Japanese to elect a government of their own, thus teaching them self-government. The occupation of Japan under General MacArthur will go down in history as one of the most successful military occupations in history.

General MacArthur, himself, became a symbol of American justice, mercy, good will, respect for the rights of all mankind, and adherence to the demo-

cratic principle of equal justice under law.

Had the advice of General MacArthur's opponents and detractors been followed Japan would today be in grave danger of succumbing to the Communists just as, thanks largely to the misguided policy of our State Department, China did succumb.

In China our identification of "democratic" reform with collaboration with the Communists, and our denial of arms aid and political support to the Nationalist Government unless it would share power with the Communists helped the Communists to power, and led directly to the war in Korea.

How great is the contrast between the success of the Japanese occupation and the fiasco of our China policy. Thanks to General MacArthur our former enemy, Japan, is now our friend. Thanks to the State Department, our former ally, China, is now our bitter enemy.

Thanks to General MacArthur, our occupation of Japan constitutes a unique example of the successful administration of a conquered country. This has been strikingly demonstrated since the outbreak of the Korean war, for General MacArthur was able to send his four occupation divisions to Korea without fear of a Japanese revolt, and with no disorder even resulting from the withdrawal of the bulk of our Armed Forces. It has also been shown by the tremendous ovation given General MacArthur at the time of his precipitate dismissal and recall.

The Japanese people, due largely to the fact that General MacArthur's policies have prevailed, have shown that they are ready to act, if we let them, as a bulwark against the expansion of Communist totalitarianism in the Far East. How disastrous would have been the consequences to our security had the Communists and their sympathizers or dupes been successful in thwarting MacArthur. And we have never been told the full story of how nearly they succeeded. We do know, however, that General MacArthur was harassed and his task rendered far more difficult than it should have been by the outside forces.

I have referred to the fact that if the advice of General MacArthur's opponents and detractors had been followed, Japan would today be in grave danger of succumbing to the Communists. That implies, of course, that there is no such danger today; and I want to qualify that implication. I do not believe there would be any grave danger of Communist successes in Japan if General MacArthur had remained there; but I cannot say what the result may be, now that he has been recalled. The recall itself has been interpreted already, in some quarters, as a "go ahead" signal to the Communists in Japan. Furthermore, we cannot accurately evaluate, for the future, the effect of the day-by-day absence from the scene of the one man available to us whose breadth of knowledge and depth of understanding of the Japanese people, and of the history and problems and philosophies not only of Japan but of all Asia, could be counted upon to avoid

even the small mistakes which, under the circumstances, might grow or be magnified into disastrous results.

I do not mean to make any pessimistic predictions with regard to Japan, nor imply any criticism of his successor. It may be that General MacArthur's work has been so well done that Japan will remain safe from communism even in his absence. But the fact remains that many in this country feel, not without reason, that our position in Japan, as in all Asia, is less secure since General MacArthur has returned home.

Mr. President, I have said that attacks by officials of our own State Department paralleled the Communist offensive against General MacArthur, back as early as 1945 in that connection. I have already mentioned Owen Lattimore.

Remember that when General MacArthur estimated, in the summer of 1945, that he would require only 200,000 troops to administer Japan, he based his assessment on the Japanese response to the first expression of his policy which called for moderation and peaceful evolution toward a democratic set-up.

The New York Times of September 20, 1945, carried the following report from Washington:

The State Department revealed today a decision for social and economic revolution in Japan and emphasized that it would be carried out regardless of what might be said about slashing the American army of occupation.

In a statement, Acting Secretary Dean Acheson said that the United States Government, and not the occupation force under Gen. Douglas MacArthur was determining American policy toward Japan.

It was the second statement that Mr. Acheson had made as a result of General MacArthur's prediction that the occupation army would be cut to 200,000 in 6 months because things were working out so well inside Japan.

Mr. Acheson stated today that this Government's Japanese policy would not be changed and that it would be carried out regardless of cost. His words were: "Whatever it takes to carry this out will be used to carry it out."

Mr. Acheson was understood to speak with the support of the War Department as well as the State Department, but there were doubts whether his implied criticisms of General MacArthur were made with the full backing of President Truman.

Mr. Acheson also said, according to the New York Times, that—

General MacArthur had issued his occupation estimate without consultation with Washington.

This controversy was clear evidence, at that time, and is no less clear today, that the State Department at the highest level had undertaken a course paralleling that of the Communists in pursuing a hard peace, and was denouncing the general who was resisting such a course. As the case turned out, the general was right and the State Department was wrong.

Our occupation force in a short time after the general's estimate was less than 200,000 troops, and MacArthur's occupation proved to be the most successful in history. By 1946 the occupation forces numbered only 150,000; by 1947

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DIGEST

OF

CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Division of Legislative Reports
(For Department staff only)

Issued May 8, 1951
For actions of May 7, 1951
82nd-1st, No. 82

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HIGHLIGHTS: Senate passed farm-labor bill. Senate made 3rd supplemental appropriation bill its unfinished business. Various Representatives criticized beef-price roll-backs.

SENATE

1. **FARM LABOR.** Passed with amendments S. 984, to provide for importation of Mexican farm laborers. Agreed to amendments as follows: By Sen. Douglas, providing penalties for certain employers of Mexican laborers illegally in the U. S.; by Sen. Morse, barring foreign workers to certain employers who hire Mexican aliens illegally in the U. S.; by Sen. Anderson, regarding foreign workers already in the U. S. by virtue of legal entry; and by Sen. Humphrey, to attract American workers at terms and conditions comparable to those offered foreign labor. Rejected the following amendments: By Sen. Cordon (31 to 43), providing that reception centers for foreign workers be distributed geographically according to need for such workers; by Sen. Humphrey, permitting immigration inspectors to inspect places of employment of foreign workers to determine whether they are illegally in the U. S.; and by Sen. Humphrey, requiring wages to be paid to foreign workers at rates prevailing for the crops in the locations involved. The bill, as passed, was printed in the Record. (pp. 5063-78, 5082-102.)
2. **THIRD SUPPLEMENTAL APPROPRIATION BILL, 1951.** This bill, H. R. 3587, was made the unfinished business. Sen. Hayden said he thought the bill could be disposed of today. (p. 5103.)
3. **PROPERTY.** Received from GSA a proposed bill "to amend or repeal certain Government property laws"; to Expenditures in the Executive Departments Committee (p. 5049).
4. **FOOT-AND-MOUTH DISEASE.** Received the USDA report on the foot-and-mouth disease campaign for Mar. 1951 (p. 5049).
5. **ORIENTAL FRUITFLY.** Received a commendation to Congress and USDA from the Hawaii Legislature, for assistance in meeting the oriental-fruitfly threat (p. 5050).

6. MEAT PRICES. Reps. Rees, Kans.; Andersen, Minn.; Hoffman, Mich.; Gossett, Tex.; and Rankin, Miss. criticized the OPS order for a price roll-back on beef and predicted that it would result in a shortage of meat (pp. 5105-8).
Rep. Javits, N. Y., said he thought the provisions of the Defense Production Act dealing with food prices were discriminatory and said the "present OPS order on beef needs to be supported (p. 5106).
7. PERSONNEL. The "Daily Digest" states that the Miller subcommittee of the Post Office and Civil Service Committee "approved for reporting to the full committee H. R. 2513, to provide that certain employees reduced in grade under the Classification Act of 1949 shall continue to receive their former basic compensation as long as they remain in the same position but vacancies shall be filled at the new level. As approved, the bill was amended so as to allow in-grade, meritorious, and longevity promotions." (p. D371.)
8. RFC AUDIT. Received the GAO audit report on RFC (H. Doc. 125) (p. 5137).
9. RESEARCH REPORT. Received from this Department the report of research work being performed under contracts or cooperative agreements pursuant to the Research and Marketing Act of 1946; to Agriculture Committee (p. 5137).
10. TAXATION. The Ways and Means Committee announced some tentative decisions with regard to taxation of capital assets, capital gains, and the taxation of the capital gain from the sale of residences (p. D372).
Agreed to the Senate amendment to H. R. 135, to allow the consumer of gasoline to deduct, for income purposes, State taxes on gasoline imposed on the wholesaler and passed on to the consumer (p. 5107).

BILLS INTRODUCED

11. FARM LABOR. H. R. 3994, by Rep. Sikes, Fla., to amend the definition of "agriculture" as contained in section 3 (f) of the Fair Labor Standards Act of 1938; to Education and Labor Committee (p. 5137).
12. ANNUAL LEAVE. H. R. 3993, by Rep. Scott, Pa., to provide for the issuance of bonds of the U. S. in compensation for certain annual leave accumulated by Government officers and employees; to Ways and Means Committee (p. 5137).

ITEMS IN APPENDIX

13. FARM DEFENSE. Rep. Elliott, Ala., inserted a Farm Journal article discussing the possibilities of biological warfare against farms and livestock and some of the methods of combatting it which have been developed by the Government (pp. 2691-2).
14. FARM LABOR. Sen. Neely inserted a United Mine Workers Journal editorial urging that action be taken to solve the problem of illegal entry of farm workers from Mexico (pp. A2668).
Rep. Yorty, Calif., inserted New York Times articles reporting on efforts being made to curb the illegal entry of farm workers from Mexico (pp. A 2701-2).
15. MEAT PRICES. Extension of remarks of Rep. Rees, Kans., and insertion of a Flint Hills Farmers and Livestock Growers Emergency Assn. resolution criticizing the OPS price roll-back order on beef (pp. A2696-7).
16. FOREIGN AID. Sen. Humphrey inserted Reverend Leland Stark's (Washington Church of the Epiphany) recent sermon favoring the shipment of grain to India (pp. A2694-5).

82D CONGRESS
1ST SESSION

S. 984

IN THE SENATE OF THE UNITED STATES

MAY 7 (legislative day, MAY 2), 1951

Ordered to be printed as passed by the Senate

AN ACT

To amend the Agricultural Act of 1949.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Agricultural Act of 1949 is amended by adding
4 at the end thereof a new title to read as follows:

5 “TITLE V —AGRICULTURAL WORKERS

6 “SEC. 501. For the purpose of assisting in such pro-
7 duction of agricultural commodities and products as the
8 Secretary of Agriculture deems necessary, by supplying
9 agricultural workers from the Republic of Mexico (pursuant
10 to arrangements between the United States and the Republic
11 of Mexico), the Secretary of Labor is authorized—

1 “(1) to recruit such workers (including any such
2 workers temporarily in the United States under legal
3 entry) ;

4 “(2) to establish and operate reception centers at
5 or near the places of actual entry of such workers into
6 the continental United States for the purpose of receiv-
7 ing and housing such workers while arrangements are
8 being made for their employment in, or departure from,
9 the continental United States;

10 “(3) to provide transportation for such workers
11 from recruitment centers outside the continental United
12 States to such reception centers and transportation from
13 such reception centers to such recruitment centers after
14 termination of employment;

15 “(4) to provide such workers with such subsist-
16 ence, emergency medical care, and burial expenses (not
17 exceeding \$150 burial expenses in any one case) as may
18 be or become necessary during transportation authorized
19 by paragraph (3) and while such workers are at recep-
20 tion centers;

21 “(5) to assist such workers and employers in ne-
22 gotiating contracts for agricultural employment (such
23 workers being free to accept or decline agricultural
24 employment with any eligible employer and to choose
25 the type of agricultural employment they desire, and

1 eligible employers being free to offer agricultural em-
2 ployment to any workers of their choice not under con-
3 tract to other employers) ;

4 “(6) to guarantee the performance by employers
5 of provisions of such contracts relating to the payment
6 of wages or the furnishing of transportation.

7 “SEC. 502. No workers shall be made available under
8 this title to any employer unless such employer enters into
9 an agreement with the United States—

10 “(1) to indemnify the United States against loss
11 by reason of its guaranty of such employer's contracts;

12 “(2) to reimburse the United States for essential
13 expenses, not including salaries or expenses of regular
14 department or agency personnel, incurred by it for the
15 transportation and subsistence of workers under this title
16 in amounts not to exceed \$20 per worker; and

17 “(3) to pay to the United States, in any case in
18 which a worker is not returned to the reception center
19 in accordance with the contract entered into under sec-
20 tion 501 (5) and is apprehended within the United
21 States, an amount determined by the Secretary of Labor
22 to be equivalent to the normal cost to the employer of
23 returning other workers from the place of employment
24 to such reception center, less any portion thereof
25 required to be paid by other employers.

1 “SEC. 503. No workers recruited under this title shall be
2 available for employment in any area unless the Secretary
3 of Labor for such area has determined and certified that
4 (1) sufficient domestic workers who are able, willing, and
5 qualified are not available at the time and place needed to
6 perform the work for which such workers are to be employed,
7 and (2) the employment of such workers will not adversely
8 affect the wages and working conditions of domestic agri-
9 cultural workers similarly employed, and (3) reasonable
10 efforts have been made to attract domestic workers for such
11 employment at wages and standard hours of work compara-
12 ble to those offered to foreign workers.

13 “SEC. 504. Workers recruited under this title who are
14 not citizens of the United States shall be admitted to the
15 United States subject to the immigration laws (or if already
16 in, by virtue of legal entry and otherwise eligible for admis-
17 sion to, the United States may, pursuant to arrangements
18 between the United States and the Republic of Mexico, be
19 permitted to remain therein) for such time and under such
20 conditions as may be specified by the Attorney General but,
21 notwithstanding any other provision of law or regulation,
22 no penalty bond shall be required which imposes liability
23 upon any person for the failure of any such worker to depart
24 from the United States upon termination of employment:
25 *Provided*, That no workers shall be made available under

1 this title to, nor shall any workers made available under this
2 title be permitted to remain in the employ of, any employer
3 who has in his employ any Mexican alien when such em-
4 ployer knows or has reasonable grounds to believe or suspect
5 or by reasonable inquiry could have ascertained that such
6 Mexican alien is not lawfully within the United States.

7 "SEC. 505. (a) Section 210 (a) (1) of the Social
8 Security Act, as amended, is amended by adding at the end
9 thereof a new subparagraph as follows:

10 "“(C) Service performed by foreign agricultural
11 workers under contracts entered into in accordance with
12 title V of the Agricultural Act of 1949, as amended.”

13 “(b) Section 1426 (b) (1) of the Internal Revenue
14 Code, as amended, is amended by adding at the end thereof
15 a new subparagraph as follows:

16 ““(C) Service performed by foreign agricultural
17 workers under contracts entered into in accordance with
18 title V of the Agricultural Act of 1949, as amended.”

19 “(c) Workers recruited under the provisions of this title
20 shall not be subject to the head tax levied under section 2
21 of the Immigration Act of 1917 (8 U. S. C., sec. 132).

22 “SEC. 506. For the purposes of this title, the Secretary
23 of Labor is authorized—

24 “(1) to enter into agreements with Federal and

1 State agencies; to utilize (pursuant to such agreements)
2 the facilities and services of such agencies; and to allo-
3 cate or transfer funds or otherwise to pay or reimburse
4 such agencies for expenses in connection therewith;

5 “(2) to accept and utilize voluntary and uncon-
6 pensated services; and

7 “(3) when necessary to supplement the domestic
8 agricultural labor force, to cooperate with the Secretary
9 of State in negotiating and carrying out agreements or
10 arrangements relating to the employment in the United
11 States, subject to the immigration laws, of agricultural
12 workers from the Republic of Mexico.

13 “SEC. 507. For the purposes of this title—

14 “(1) The term ‘agricultural employment’ includes
15 services or activities included within the provisions of
16 section 3 (f) of the Fair Labor Standards Act of 1938,
17 as amended, or section 1426 (h) of the Internal Reve-
18 nue Code, as amended.

19 “(2) The term ‘employer’ shall include an associa-
20 tion, or other group, of employers, but only if (A) those
21 of its members for whom workers are being obtained are
22 bound, in the event of its default, to carry out the obli-
23 gations undertaken by it pursuant to section 502, or
24 (B) the Secretary determines that such individual

1 liability is not necessary to assure performance of such
2 obligations.

3 "SEC. 508. Nothing in this Act shall be construed as
4 limiting the authority of the Attorney General, pursuant to
5 the general immigration laws, to permit the importation of
6 aliens of any nationality for agricultural employment as
7 defined in section 507, or to permit any such alien who
8 entered the United States legally to remain for the purpose
9 of engaging in such agricultural employment under such
10 conditions and for such time as he, the Attorney General,
11 shall specify.

12 "SEC. 509. Any person who shall employ any Mexican
13 alien not duly admitted by an immigration officer or not
14 lawfully entitled to enter or to reside within the United
15 States under the terms of this Act or any other law relating
16 to the immigration or expulsion of aliens, when such person
17 knows or has reasonable grounds to believe or suspect or by
18 reasonable inquiry could have ascertained that such alien
19 is not lawfully within the United States, or any person who,
20 having employed such an alien without knowing or having
21 reasonable grounds to believe or suspect that such alien is
22 unlawfully within the United States and who could not have
23 obtained such information by reasonable inquiry at the time
24 of giving such employment, shall obtain information during

1 the course of such employment indicating that such alien is
2 not lawfully within the United States and shall fail to report
3 such information promptly to an immigration officer, shall be
4 guilty of a felony, and upon conviction thereof shall be pun-
5 ished by a fine not exceeding \$2,000, or by imprisonment for
6 a term not exceeding one year, or both, for each alien in
7 respect to whom any violation of this section occurs.

8 "SEC. 510. No workers will be made available under
9 this title for employment after December 31, 1952."

Passed the Senate May 7 (legislative day, May 2),
1951.

Attest:

LESLIE L. BIFFLE,

Secretary.

82D CONGRESS
1ST SESSION

S. 984

AN ACT

To amend the Agricultural Act of 1949.

May 7 (legislative day, May 2), 1951

Ordered to be printed as passed by the Senate

the unholy alliance between crime and politics that exists in our State.

Missourians were particularly disappointed that the committee failed to shed any new light on the theft, on May 27, 1947, of the ballots making up the evidence of the notorious vote frauds in the primary election of 1946 in Kansas City. This was an act of outrageous violence which struck at the very roots of our free institutions. It struck at the very foundations of law and order. To this day, nearly 4 years later, this crime has gone unwhipped of justice.

When no arrests were made for this wicked crime it was widely interpreted as evidence of a new, efficient working partnership between crime and politics. This successful attack upon the rights of the people provided an incentive for more—and more—crime. Twenty-one unsolved murders followed in rapid succession, climaxed by the bloody killings last year of Charles Binaggio and Charles Gargotta.

Many Missourians have been at a loss to understand why the law-enforcement agencies of the Government, with all their trained investigators, and with the benefit of modern, scientific equipment, cannot apprehend those guilty of the theft of the ballots. It is disturbing to know that this crime is still in the file marked "unsolved."

I know you agree that honest, fair elections and clean government, free from the taint of criminal corruption, are considerations that rise far above mere partisan or factional politics.

Should you and your colleagues decide, as I hope you will, to make a full and complete investigation of the theft of the ballots and the situation generally in Missouri, I shall be very glad to cooperate in every way I can.

Sincerely yours,

JAMES P. KEM.

SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO

The Senate resumed the consideration of the bill (S. 934) to amend the Agricultural Act of 1949.

Mr. THYE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. THYE. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded and that further proceedings under the call be suspended.

Mr. ELLENDER. Mr. President, I object to that. I should like to have as many Senators as possible present.

The PRESIDING OFFICER. The clerk will proceed with the calling of the roll.

The Chief Clerk resumed the call of the roll.

Mr. THYE. Mr. President, I again ask unanimous consent that the order for a quorum call be rescinded and that further proceedings under the call be suspended.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Chair will state the parliamentary situation. Under the unanimous-consent agreement previously entered into the question is on agreeing to the amendment relating to the establishment of reception centers offered by the Senator from Oregon [Mr. CORDON], for himself

and other Senators, as a substitute for lines 7 to 12, inclusive, on page 2 of Senate bill 984, to amend the Agricultural Act of 1949.

Under the terms of the unanimous-consent agreement the time for debate is equally divided between the proponent, the Senator from Oregon [Mr. CORDON], and the opponent, the Senator from Louisiana [Mr. ELLENDER], with 20 minutes allotted to each side. The Chair is therefore required to recognize the Senator from Oregon. The Senator from Oregon is recognized.

Mr. CORDON. Mr. President, may I make inquiry of the Senator from Louisiana with respect to the division of time? Do I understand that the proponent has 20 minutes allotted to him at this time, and that he must use the time now or not at all?

The PRESIDING OFFICER. The Senator from Oregon has 20 minutes on his amendment, and the Senator from Louisiana has 20 minutes in opposition to the Senator's amendment.

Mr. CORDON. I am perfectly willing to submit the amendment at this time. On the other hand, the Senator from Louisiana may bring up some points which I may feel should be responded to. I had hoped that we might have a division of time by which the Senator from Louisiana would be able to make a presentation of his viewpoint and I might have an opportunity to respond, if I felt it was necessary to do so.

Mr. ELLENDER. It is my understanding that the Senator from Oregon need not use all of his time at once. He may use 5 minutes, 10 minutes, or 15 minutes at this time, if he wishes to do so. I am perfectly willing to cut 5 or 10 minutes off my time.

Mr. CORDON. Mr. President, I yield such time to the Senator from Wyoming [Mr. O'MAHONEY] as he may desire to take.

Mr. O'MAHONEY. Mr. President, I thank the Senator from Oregon and the Senator from Louisiana for permitting me to make a few comments at this time. The subcommittee on Armed Services of the Committee on Appropriations should now be hearing testimony with reference to the fourth supplemental appropriations bill. Inasmuch as I am the chairman of the subcommittee, I must go to the hearing as quickly as possible.

Mr. President, I wish to say that my experience in the State of Wyoming and my knowledge of conditions existing throughout the Rocky Mountain West, where wool is produced and sugar is produced, indicate to me that there is a shortage of the type of labor which is available for work upon farms and ranches.

The conditions of employment throughout the West are such that it is extremely difficult, if not impossible, to obtain workers to go on the ranges to herd sheep. It is very difficult to find workers to be employed in the beet fields. I am very much afraid that the bill, as it was reported by the committee, without amendment, would not provide the labor which we need. In the past Mexi-

can labor has been used almost continuously. It was highly necessary during the war that arrangements be made with the Government of Mexico whereby such workers would be available in our agricultural enterprises.

I feel that the amendment which has been offered by the Senator from Oregon is highly essential if we are to maintain the production which we ought to have. Wool production is, of course, very necessary in the United States. The growing of sheep has diminished considerably during the past several years, chiefly because of the lack of labor competent and willing to do the work. Consequently we should now take no chances at all, but should draft the bill in such form as to guarantee that Mexican labor will be available.

The office of the distinguished senior Senator from New Mexico [Mr. CHAVEZ] communicated with me this morning and asked me to insert in the RECORD a letter which was received by the Senator from New Mexico from Mr. J. B. Wilson, secretary of the Wyoming Wool Growers Association. The letter is dated May 1, 1951. I should like to read it into the RECORD:

WYOMING WOOL GROWERS ASSOCIATION,
McKinley, Wyo., May 1, 1951.

Hon. DENNIS CHAVEZ,
United States Senate,
Washington, D. C.

DEAR SENATOR CHAVEZ: I was interested in reading the debate on the foreign labor bill in the Senate on April 26 and 27 and noticed that on the 27th, in speaking to Senator WHERRY, of Nebraska, you indicated that plenty of sheep herders could be supplied from your State.

As you undoubtedly know, Wyoming has been for many years using a lot of sheep herders from the good State of New Mexico. These herders have in the main proved satisfactory and many of them come to Wyoming in the spring to lamb the sheep and stay during the summer and return to New Mexico when the lambs are delivered in the fall and the sheep men are reducing their flocks due to the sale and shipment of lambs and aged ewes. Many families have been coming to Wyoming for a good many years.

The citizens of New Mexico, who herd sheep in Wyoming, are paid the same scale of wages as are any other herders and, as I have said before, have usually been quite satisfactory.

However, there seems to be a scarcity of experienced herders in New Mexico at this time, as growers who talk to me advise that they find difficulty in getting enough experienced herders from your State.

I am advised by wool growers in our State that the help they are getting for lambing is the most inefficient. Of course, they recruit this help from the local employment Service offices and they also report a shortage of herders. Most of them would welcome the opportunity of getting some experienced herders from your State and if you can tell us where we might secure some experienced herders, I am sure the wool growers of our State will be most grateful.

Up to say 10 or 15 years ago we had no difficulty in securing most of our needs for herders from the State of New Mexico because the herders that had herded here the previous year would recruit additional herders and we usually had a fairly good supply of herders from your State, but in recent years it has been impossible to secure enough herders from New Mexico and I think it will be found that our State pays wages as

high as any State and the majority of our people do use herders from the State of New Mexico and if you can tell us where we can secure any experienced herders, we will appreciate it.

Thanking you in advance and with kindest regards, I am,

Sincerely yours,

J. B. WILSON, *Secretary*.

Mr. President, I concur in what Mr. Wilson says. I know that the wool growers of Wyoming would be very happy to receive sheep herders from New Mexico, and would be very glad to afford them satisfactory employment and pay them good wages. If they do come from New Mexico we shall be very happy to have them. But my judgment is that we should not be forced to depend solely upon that source of supply, but should have the aid which would be provided by the Cordon amendment, to make the supply of Mexican labor more available.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. ANDERSON. I wonder if the Senator would be interested in a newspaper article dated April 26 on the farm-labor shortages in New Mexico. Maurice F. Miera, executive director of the State Employment Security Commission, stated that we would have a shortage of 24,000 farm laborers in New Mexico during the cotton-picking season. He pointed out that the demand for seasonal farm workers in the State will reach a postwar peak of 37,850 during the 1951 harvest, and that cotton picking alone would demand 36,000 workers in late October and early November.

Max R. Salazar, State director for the New Mexico Employment Service, stated that while he had made arrangements with agencies in other States to try to bring in laborers, the shortages which cannot be met by domestic workers would have to be met by importing foreign workers, preferably Mexican farm laborers.

I ask the Senator if he believes that with a shortage of that size in a small State such as New Mexico, there is much chance of Wyoming getting additional help from New Mexico?

Mr. O'MAHONEY. The information which the Senator affords the Senate is most persuasive.

Mr. ANDERSON. Will the Senator from Wyoming permit me to ask unanimous consent to place the whole of this brief article in the Record at this point?

Mr. O'MAHONEY. I shall be very glad to have it inserted in the Record immediately following my remarks, or at this point.

Mr. ANDERSON. Mr. President, I ask unanimous consent that the entire article with reference to farm-labor shortages in New Mexico be printed in the Record at the conclusion of the remarks of the distinguished Senator from Wyoming.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Without objection, it is so ordered.

(See exhibit A.)

Mr. O'MAHONEY. Mr. President, my point is that the bill reported by the Committee on Agriculture and Forestry is greatly needed, but it should be

amended by the amendment offered by the Senator from Oregon. I sincerely hope that the Senator from Louisiana [Mr. ELLENDER] will accept the amendment which has been proposed.

I thank the Senator from Oregon for permitting me to make my statement at this time.

EXHIBIT A

FARM LABOR SHORTAGES SEEN IN NEW MEXICO

ALBUQUERQUE, April 26.—Maurice F. Miera, executive director of the State employment security commission, today forecast a shortage of 24,000 farm workers in New Mexico during the cotton-picking season.

Miera said the forecast was the result of a recent analysis of farm-labor requirements prepared by the farm placement division of the State employment service.

The executive director said the demand for seasonal farm workers in the State will reach a postwar peak of 37,850 during the 1951 harvest.

Cotton picking alone will demand 36,000 workers in late October and early November.

Max R. Salazar, State director for the New Mexico Employment Service, reported that agreements have been made with other State employment services to direct surplus workers into the State to help alleviate the shortage.

Salazar said that shortages which cannot be met by domestic workers will be certified as requiring foreign workers, probably Mexican farm laborers.

Mr. CORDON. Mr. President, may I ask how much time I have remaining?

The PRESIDING OFFICER. The Senator has 9 minutes remaining.

Mr. CORDON. I yield to the Senator from North Dakota [Mr. Young] for the purpose of making an insertion in the Record.

Mr. YOUNG. Mr. President, during the course of the debate on the farm-labor bill-reference was made to the testimony of representatives of the United States Employment Service before the subcommittee of the Senate Appropriations Committee which was given several weeks ago. In that connection, as a member of the Senate Appropriations Committee, I should like to have placed in the Record at this point the complete testimony of Mr. Goodwin, Director of the United States Employment Service, so that the Record may be complete, particularly as it relates to utilization of the American domestic labor supply, the use of American Indians, and the use of Puerto Ricans insofar as agricultural employment is concerned.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

FARM LABORERS

Senator CHAVEZ. Yes. Now to some extent your work is concerned with farm laborers, is it not?

Mr. GOODWIN. That is a very important part of our job.

Senator CHAVEZ. Of course it is important, but what are you going—what is the agency doing in order to get American labor to those spots? I am talking about American labor now.

Mr. GOODWIN. In the farm program we are putting all of the emphasis we can on the utilization of domestic labor. We are trying to get it transferred from one place to another; that is, where it is available in one place, and needed some place else.

PLACEMENT OF INDIAN LABOR

Senator CHAVEZ. What are you doing about the Indians? They can get killed on Okinawa or raise a flag on Iwo Jima, but what are you doing to get them a job on a farm?

Mr. GOODWIN. The Indians?

Senator CHAVEZ. Yes.

Mr. GOODWIN. We have worked out programs with the Indian Service for the use of the Indians.

Senator CHAVEZ. What do you do with the Indian himself, not the Indian Service—that is another Bureau in Washington.

Mr. GOODWIN. I know that we have placed many of the Indians on farm work.

Senator CHAVEZ. We have possibly 90,000 Indians in my State, and they are good enough to be killed in Korea, but you prefer to get some Jamaica Negroes or Mexican laborers rather than putting some of those Indians to work. What are you doing as far as American labor is concerned, sir?

Mr. GOODWIN. We have placed many of those Indians; many of them from your State.

Senator CHAVEZ. I don't want the Indian Service to be the determining factor. What do you do about going to the reservations, and getting those Indians a job, such as picking parsley or celery or whatever it may be, in California or Oregon?

Mr. GOODWIN. We have sent people to those reservations, and we have recruited the Indians and placed them on farm work.

PUERTO RICAN LABOR

Senator CHAVEZ. What about the Puerto Ricans? I just saw a picture of a boy the other day at Walter Reed Hospital with two legs gone and a right arm gone. What are you doing about his brother, who may need a job?

Mr. DODSON. As I think you know, Puerto Ricans were not used in World War II.

Senator CHAVEZ. Why? They were used at Guadalcanal.

Mr. GOODWIN. I know, sir.

Senator CHAVEZ. General del Valle was at Guadalcanal and he was at Iwo Jima and at Okinawa. There is not a single American military cemetery anywhere that does not have some Puerto Ricans. Why were they not used for labor? Is that the policy of the Department?

Mr. GOODWIN. I don't know, Mr. Chairman. I think it was a policy of discrimination, and I think it showed up in many places.

EMPLOYMENT SERVICE EXTENDED TO PUERTO RICO

We didn't have the Employment Service extended to Puerto Rico until a few months ago.

Senator CHAVEZ. I know, because the Department would prefer to get Jamaican Negroes who would complain to His Majesty's consul in New Jersey.

Mr. GOODWIN. We favored the extension of the program to Puerto Rico a long time ago.

Senator CHAVEZ. Why have you not done it? Why have you not talked to Senator Knowland or to me about that proposition? Do you not think that, if they are good enough to die for their country, they are good enough to be given work?

Mr. GOODWIN. I absolutely agree with you.

Senator CHAVEZ. What have you done about it?

Mr. GOODWIN. We have been doing everything we can to increase the use of them in the past years.

Senator CHAVEZ. Would you rather get a Mexican laborer from across the border for 80 cents a day than to pay a boy who might have a brother who was killed in the war and pay him sound wages in the United States? Is that not the picture?

Mr. GOODWIN. That is not right, so far as this problem—so far as our attitude toward this problem is concerned. We have been working to get a greater use of them.

I cannot give you the answers to all of these questions as far as World War II is

concerned, because I was not in charge of the program then.

UTILIZATION OF FOREIGN LABOR

Senator CHAVEZ. As the chairman of this committee, and as an individual only—and I do not represent the views of the committee—I am not in favor of giving the Department any money to go down and get foreigners to work in the country when we have people like the Indians and local citizens who are around here, and who are drafted, and yet who cannot get a job, while some foreigners are brought into the country to work.

Mr. GOODWIN. I agree with that, except that I would say that we are doing everything we can with the resources we have. Now there was a great deal more done on some phases of this problem in World War II. At that time Congress was appropriating about \$20,000,000 a year for that purpose; that is, transportation costs, housing costs, and medical costs. That was all wiped out at the end of the war, and the problem was turned over to the United States Employment Service, and we were expected to do many of the same things without any additional funds.

Senator CHAVEZ. Well, how did you get the Jamaicans or the Panamanians? How did you get them here? That costs money, too, you know.

Mr. GOODWIN. They, because of the conditions that exist in those countries, Mr. Chairman, are willing to come under conditions that our domestic laborers would not—

Senator CHAVEZ. Are we working for the other countries, or are we working for the American citizens? What is this Government for?

Mr. GOODWIN. We are working for the American citizens, of course.

PUERTO RICAN EMPLOYMENT OFFICE

Senator KNOWLAND. How long have you had the Puerto Rican Employment Office?

Mr. GOODWIN. That legislation was passed late in the last session, Senator, and the enabling legislation in Puerto Rico was passed within recent weeks. You might say that it is just now getting under way. The Federal legislation only made it possible. Then they had to pass enabling legislation in Puerto Rico in order to operate, just like the States.

Senator CHAVEZ. I know that the basic legislation for the country is the constitution of the country, am I right?

Mr. GOODWIN. That is right.

Senator CHAVEZ. All right. They are citizens. They had possibly 50,000 in the First World War. In the last war they had a little better than 90,000.

Mr. GOODWIN. Who?

Senator CHAVEZ. The Puerto Ricans. Why should not they be subject to the law of the land, which is the constitution?

Mr. GOODWIN. They should be—and we have done everything that we can to promote their use.

Senator CHAVEZ. You tell us that because some people would work under conditions that they would not work under, you allowed them to come into the country?

Mr. GOODWIN. You asked me why some of the British West Indians and some others came in.

Senator CHAVEZ. That is right. They will go to Delaware and they will go to New Jersey, and if they don't like it there they will go down and complain to His Majesty's consul about it, while the Puerto Rican takes it on the chin.

Mr. GOODWIN. The employers have paid to bring in some of the foreign workers. You mentioned, for instance, the eastern coast, Mr. Chairman. There have been no Mexicans used in that area.

Part of the problem involved here is dis-tance. There has been resistance to the use

of Puerto Ricans, for instance, when you get to the western part of the country, because of the transportation.

Senator CHAVEZ. That might be the personal element; that might be the individual element. But I am talking about the Department. What are you doing about it, as a representative of Uncle Sam's Government? I am not complaining about an individual who might not want Puerto Ricans because they are so far away, but I am talking about the policy of the Department, in trying to employ American citizens.

WORK STANDARDS OF PUERTO RICAN LABOR

Mr. GOODWIN. The policy has been one of promoting the use of American citizens which, of course, includes Puerto Ricans. We, on our initiative, entered into a policy and understanding with the Puerto Rican government, soon after this problem came back under our responsibility.

Senator CHAVEZ. But why should you have an understanding with the Puerto Rican government? The Puerto Rican government is like California or New Mexico or Texas. What is the difference?

Mr. GOODWIN. Let me explain, Mr. Chairman. The Puerto Rican government passed a law which said that no one could come down there and recruit Puerto Ricans except under the supervision of the Department of Labor of Puerto Rico. Then they said that in order to recruit they had to hire them under a contract, and they stipulated what the conditions of that contract would be.

Now, that does not mean that the individual Puerto Ricans cannot themselves voluntarily migrate to the United States and get employment—they can. But most of them are unable to do it because they do not have the financial resources. Most of them on farm work get to that farm work by recruitment of employers. Those employers go down there, they advance the transportation, they make the arrangements.

Now, in order to do that, the government of Puerto Rico is insisting that they be brought in and worked under conditions of a contract. That contract goes beyond, in its requirements, what the workers on the mainland of this country normally get in agricultural employment, not what workers in this country should get, but it does go beyond what workers in agricultural work do, as a matter of fact, normally get.

Senator CHAVEZ. Normal pay?

Mr. GOODWIN. I had in mind such things as the requirement of the payment of insurance and a minimum guaranty of a certain amount of employment during the period of the contract; stipulations of that kind. In that respect, Mr. Chairman, they are not the same as workers on the mainland.

Senator CHAVEZ. In other words, Puerto Rico is insisting that they be given what we brag about, American standards of living; is that it? That is, the Puerto Rican government, through law, says, "You recruit workers in this country, but under certain conditions of employment?"

Mr. GOODWIN. That is right, sir. May I add one other point?

Senator CHAVEZ. Certainly.

Mr. GOODWIN. One of the limitations on the use of them is that the Puerto Rican government, when they are recruited under these conditions, which I have mentioned, has taken the position that they do not want them used in the South. They feel that there has been discrimination there, and they have taken a stand against their use there, which restricts the area in which you can get them used.

Senator CHAVEZ. Puerto Rico has insisted on that?

Mr. GOODWIN. Yes, sir.

Senator CHAVEZ. Is that part of the basic law, or have they tried to arrive at an understanding on that point?

Mr. GOODWIN. I don't think that is in the law, Senator. The law gives the Department of Labor of Puerto Rico broad authority to set up regulations and control their use. They have taken that position in relation to the use of them.

Senator CHAVEZ. That is very interesting, because I know of a lot of Puerto Ricans who are buying sugarcane and land in Louisiana and in Florida, yet they will not let their own people, Puerto Ricans, come to work on the farms in, for instance, Florida.

I know of the Sireous family, in Florida, which owns quite a little land, and who are in the banking business, but mainly in the sugarcane business. Senator KNOWLAND, you would be surprised at how many Puerto Ricans have gone into both Florida and Louisiana.

LABOR STANDARDS IN PUERTO RICO

Senator KNOWLAND. How do these standards that the Puerto Rican government has set up compare with their own minimum labor standards for agricultural labor in Puerto Rico?

Mr. GOODWIN. They have some of them, Senator KNOWLAND. I don't know offhand about all of them. Puerto Rico has extended its unemployment insurance law, for instance, to some farm workers, which we have not done.

Senator CHAVEZ. But the pay is different?

Mr. GOODWIN. That is right.

Senator CHAVEZ. When we passed the minimum-wage law, it did not apply to the Puerto Rican laborers.

Mr. GOODWIN. They have gone further in social legislation in some areas than they can easily sustain with their economy. Some of the things they are asking we cannot do. If you would like, I would be glad to furnish for the record a statement on that situation.

Senator KNOWLAND. I think it might be interesting, in view of the discussion here, to have an analysis of the situation.

Mr. GOODWIN. Yes.

(The information requested is as follows:)

"UTILIZATION OF PUERTO RICANS IN AGRICULTURE ON THE MAINLAND

"In 1946 only 200 Puerto Ricans migrated to the mainland for employment; in 1947, 875, and in 1948, 3,500. It was during 1948 that the United States Employment Service first began transmitting orders for laborers to Puerto Rico. The following is a table showing employment of Puerto Ricans in agriculture by States during 1949 and 1950:

	1949	1950
New Jersey.....	3,132	4,500
New York.....	982	1,275
Pennsylvania.....	176	1,116
Michigan.....	186	1,300
Washington.....	400	200
Minnesota.....	35	500
Delaware.....	175	50
Ohio.....	100	1,100
Wisconsin.....		200
Total.....	5,186	14,241

¹ Only 900 remained through season.

"The above figures include transfer of workers from one State to another and do not include uncontracted Puerto Rican workers migrated on their own volition. Records of transport companies show that approximately 4,700 different Puerto Ricans came to the United States for employment during 1949. During 1950 approximately 13,500 Puerto Ricans were contracted for agricultural employment on the mainland and in addition, 3,000 workers migrated to New Jersey without contract and 500 were utilized in Florida without benefit of contract.

"In addition to the foregoing estimates, many Puerto Ricans returned to the mainland without contracts to work for employ-

ers for whom they had previously worked under contract.

"On December 5, 1947, the Puerto Rican government passed legislation regarding the migration to the United States and other countries. This act includes the following statement:

"The government of Puerto Rico neither encourages nor discourages the migration of Puerto Rican workmen to the United States or any foreign country."

"Based upon the authority granted in the afore-mentioned act, the government of Puerto Rico has required that agricultural workers migrating to the mainland migrate under a contract. This contract essentially provides the guaranty of 160 hours of work in each 4-week period. Provision by the employer for subsistence to the workers while in transit and prior to employment. The contract provides for the payment to Puerto Rican workers of the minimum prevailing hourly rate or the prevailing piece rates, whichever is greater. It provides that the worker may not be required to work in excess of 8 hours in any one day or 48 in any calendar week. It further provides for the coverage, by the employer, of the employee under the workmen's compensation laws of the State in which the employee is working. This compensation coverage provides for the employer to assume liability for the same risks and in the same amounts as is afforded to industrial workers covered by the workmen's compensation laws of the State of employment.

"The contract further provides that the employees shall not be subject to discrimination by the employer as regards housing facilities or in any other regard because of race, color, creed, etc. The contract provides that the employer, without cost to the employee, shall provide adequate hygienic housing facilities. The employer is obligated to provide three adequate meals per day at a cost to the employee not in excess of \$1.50 per day. However, the employer may provide cooking and eating facilities and the employee will prepare his own meals. The contract provides for a minimum employment of 12 weeks and if it is necessary to terminate the work agreement other than due to an act of God, such as hurricanes, tornadoes, fires, or floods, the employer will be responsible for finding another employer willing to assume the obligations of the contract or return the worker to Puerto Rico at the employer's expense.

"The contract also provides withholding of 5 cents per hour or 9 percent of piecework earnings of the employee to be paid as a bonus to the employee upon completion of the contract.

"The employer is obligated to procure and maintain in effect a performance bond in form and amount satisfactory to the commissioner of labor of Puerto Rico.

"The contract provisions summarized above reflect benefits available to Puerto Rican agricultural workers while employed in Puerto Rico.

"On April 5, 1941, the Puerto Rican government approved a minimum wage and hour law which applies to agriculture as well as industry.

"Under the Sugar Act, minimum wage rates are determined annually. This determination includes wage increases based upon the average price of raw sugar prevailing in the immediately preceding 2-week period. This act also provides that overtime shall be paid at double the applicable minimum hourly rate for persons employed in more than 8 hours in any 24-hour period. It also provides that piece-work rates shall not be less than the applicable daily or hourly rate. In addition, the producer is required to furnish the laborer, without charge, perquisites customarily furnished by him such as a

dwelling, garden plot, pasture lot, and medical services. Attached is a copy of wage rates, sugarcane, Puerto Rico, 1951, developed pursuant to the Sugar Act of 1948.

"Due to the fact that Puerto Rico is 90 percent agricultural, the minimum age requirements for employment have been applied to agricultural employment as well as industrial employment. Puerto Rico's minimum-age requirements are 16 during school hours and 14 outside of school hours. In addition, workmen's compensation benefits have been granted agricultural workers. Few States on the mainland have coverage of agricultural workers. The State of Ohio and Puerto Rico provide compulsory coverage for agriculture for employers of three or more. Hawaii's coverage is for all agricultural workers, coverage in Connecticut (for three or more), in New Jersey and in Vermont (for employers of eight or more). In New Jersey, however, farmers are not required to insure.

"PUERTO RICAN LABOR "STATEMENT OF POLICY

"The United States Employment Service will consider Puerto Rico as a supply source of domestic labor and will extend, through its national office, clearance orders to the Puerto Rican Department of Labor, after clearance has been made in the State and region of demand, and thereafter in inter-regional clearance if labor demands of the employer have not been satisfied. If an employer states a preference for Puerto Rican labor and the State agency determines that labor is not available within the State, or adjoining States, the order may be extended by the national office to Puerto Rico.

"Authority for the recruitment of Puerto Rican workers will be granted by the commissioner of labor of Puerto Rico, only after the United States Employment Service has furnished information to the commissioner of labor that the supply of available labor to the State of demand is not sufficient to meet the requirements of the employer.

"Orders received from employers who specifically request foreign workers shall be processed only after positive effort is made by the local office to encourage the employer to use Puerto Rican labor. Therefore, local office personnel will point out to employers that Puerto Ricans shall be considered for employment prior to any consideration of the use of foreign labor.

"Any exception to this policy will be determined by the national office on the merits of each individual case and the commissioner of labor of Puerto Rico shall be informed of the findings in such cases.

"Approved this 10th day of February 1949.

"Commissioner of Labor of Puerto Rico,

"ROBERT C. GOODWIN,
"Director, Bureau of Employment Security.

"RECRUITMENT OF PUERTO RICAN WORKERS

"1. When an employer places an order with a local office of the United States Employment Service system, every effort will be made to recruit workers locally. In the event that workers cannot be found locally in accordance with United States Employment Service policies and standards, the order, with the permission and cooperation of the employer will be extended to other offices through normal clearance procedures.

"2. In the event that workers cannot be so obtained, the employer will be told then that workers in a wide range of agricultural skills and occupations may be found in Puerto Rico. The local office will explain to the employer that Puerto Rican labor shall be considered for employment prior

to any consideration of the use of foreign labor, and a definite effort shall be made to encourage the employer to use this source of labor supply.

"3. The national office shall furnish to field offices information concerning the attributes and qualities of Puerto Rican workers, including experience records, personal characteristics, and any other information deemed pertinent and necessary as conditions of employment.

"4. Should the employer agree to employ Puerto Rican workers, the order will be directed through channels to the national office for clearance to the New York office of the Puerto Rican Department of Labor. A copy of such order shall be forwarded by the United States Employment Service to the Veterans Employment Service in Puerto Rico for informational purposes.

"5. If an employer states a preference for Puerto Rican labor and the State employment service in the area of demand determines that labor is not available within the State or adjoining States, the order may be extended by the national office to the New York office of the Puerto Rican Department of Labor.

"6. The Puerto Rican Department of Labor shall notify the United States Employment Service within 5 days from receipt thereof, of the acceptance or rejection of the order, such notification to be made by telegram direct to the Farm Placement Service, United States Employment Service.

"7. The Puerto Rican Department of Labor will designate the point or points of recruitment within Puerto Rico at which workers will be contracted and will assume responsibility for determining the eligibility of workers to be contracted.

"8. The Puerto Rican Department of Labor will attempt to limit the selection of Puerto Rican workers to those who have an established agricultural experience background, and preference in selection should be given to those who are regularly employed in farm work and who are primarily interested in seasonal employment on the mainland during the off season in Puerto Rican agriculture. Each employer or his duly designated representative shall be responsible for conducting positive recruitment in order to assure that capable workers have been screened and selected.

"9. Upon confirmation of acceptance of an order, the Puerto Rican Department of Labor shall notify the employer of the time and place of contracting and any other necessary arrangements incident to the recruitment.

"10. Orders received by the national office requesting foreign workers shall be accompanied by a statement of the State agency establishing that the employer has been offered Puerto Rican labor, and supporting information that the employment of Puerto Rican labor will cause undue hardship to the employer.

"11. Exceptions to this procedure to be used in the employment of Puerto Rican workers shall be determined by the national office on the merits of each individual case, and the commissioner of labor of Puerto Rico shall be informed of the findings in such cases.

"Approved this 19th day of February 1949.

"Commissioner of Labor of Puerto Rico,

"ROBERT C. GOODWIN,
"Director, Bureau of Employment Security."

SUGAR ACTS

Senator CHAVEZ. I wish you would furnish for the record, if you can, the Sugar Act, which fixes the standards for Puerto Rican labor. As a general rule, it is the Sugar Act that controls.

Mr. GOODWIN. Yes.

(The information requested is as follows:)

[Reprinted from Federal Register of December 29, 1950]

"UNITED STATES DEPARTMENT OF AGRICULTURE, PRODUCTION AND MARKETING ADMINISTRATION—WAGE RATES; SUGARCANE; PUERTO RICO; 1951

"TITLE 7, AGRICULTURE; SUBCHAPTER VIII, PRODUCTION AND MARKETING ADMINISTRATION (SUGAR BRANCH), DEPARTMENT OF AGRICULTURE; SUBCHAPTER H—DETERMINATION OF WAGE RATES (SUGAR DETERMINATION 867.3); PART 867, SUGARCANE, PUERTO RICO

"Calendar year 1951

"Pursuant to the provisions of section 301 (c) (1) of the Sugar Act of 1948 (herein referred to as "act"), after investigation, and consideration of the evidence obtained at the public hearing held in San Juan, Puerto Rico, on October 5 and 6, 1950, the following determination is hereby issued:

"Sec. 867.3. Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in Puerto Rico during the calendar year 1951— (a) Requirements: The requirements of section 301 (c) (1) of the act shall be deemed to have been met with respect to the production, cultivation, or harvesting of sugarcane in Puerto Rico for the calendar year 1951 if the producer complies with the following:

"(1) Wage rates: All persons employed on the farm in the production, cultivation, or harvesting of sugarcane shall have been paid in full for such work and shall have been paid wages in cash therefor at rates as agreed upon between the producer and the laborer but, after the date of issuance of this determination, not less than the following:

"(1) Day rates (a) basic rates: The basic day rate for the first 8 hours of work performed in any 24-hour period (except that for ditch diggers, ditch cleaners, or field flooders in class E, herein below, the applicable day rate shall be the first 7 hours of work performed in any 24-hour period) shall be as follows:

Class of work	Basic rates per day	
	Farms other than interior farms	Interior farms ¹
A. All kinds of work not classified below.....	\$1.50	\$1.40
B. Operators of mechanical equipment, such as tractors, trucks, tractor plows.....	2.35	2.20
CLASSIFIED NONHARVEST OPERATIONS		
C. Cartmen in cultivation work.....	1.60	1.50
D. Plow steersmen and operators of irrigation pumps, and all work connected with mixing and applying chemical weed killers.....	1.80	1.65
E. Ditch diggers, ditch cleaners, field flooders (per 7-hour day) ²	1.80	1.65
CLASSIFIED HARVEST OPERATIONS		
F. Cartmen in harvest work.....	2.00	1.80
G. Sugarcane cutters (for grinding or planting), seed cutters, crane operators, dumpers.....	1.80	1.65
H. Portable track handlers, railroad or portable track car loaders.....	2.00	2.00
I. Crane cart or truck loaders.....	1.90	1.80

¹ Interior farms shall be deemed to be those farms which were classified as interior farms for the calendar year 1949.

² Field flooders shall be deemed to be workers who set up or remove banks in drainage ditches when used for flooding sugarcane fields.

"(b) Wage increases: For each 10 cents or fraction thereof that the price of raw sugar (duty-paid basis, delivered) averages more than \$3.80 per 100 pounds, but not more

than \$7 per 100 pounds for the 2-week period immediately preceding the 2-week period during which the work is performed, a wage increase of 4.5 cents per day above the rate prescribed under subdivision (i) (a) of this subparagraph shall be paid for each day of work during such 2-week period: *Provided*, That the average price of raw sugar prevailing during the period from December 7 through December 20, 1950, shall determine the amount of wage increase effective during the work period January 1 through January 3, 1951, and thereafter the amount of wage increases in successive 2-week work periods shall be determined by the average price of raw sugar prevailing in the immediately preceding 2-week period. The 2-week average price of raw sugar (duty-paid basis, delivered) shall be determined by taking the simple average of the daily spot quotations of 96° raw sugar of the New York Coffee and Sugar Exchange (domestic contract) converted to 100 pounds and adjusted to a duty-paid basis, delivered, by adding to each daily quotation the United States duty prevailing on Cuban raw sugar on that day, except that, if the Director of the Sugar Branch determines that for any 2-week period such average price does not reflect the true market value of raw sugar, because of inadequate volume or other factors the Director may designate the average price to be effective under this determination.

"(ii) Hourly rates: Where persons are employed on an hourly basis for a period not in excess of 8 hours (7 hours in class E) in any 24-hour period, the hourly rate shall be determined by dividing the applicable day rate provided in subdivision (i) of this subparagraph by 8 (by 7 in class E).

"(iii) Overtime: Persons employed for more than 8 hours (or 7 hours under Class E) in any 24-hour period shall be paid for the overtime work at a rate double the applicable hourly rate provided in subdivision (ii) of this subparagraph.

"(iv) Piecework rates: If work is performed on a piecework basis, the average earnings for the time involved on each separate unit of work for which a piecework rate is agreed upon shall be not less than the applicable daily or hourly rate provided in subdivisions (i), (ii), and (iii) of this subparagraph.

"(2) Perquisites: In addition to the foregoing, the producer shall furnish to the laborer without charge the perquisites customarily furnished by him such as a dwelling, garden plot, pasture lot, and medical services.

"(b) Subterfuge: The producer shall not reduce the wage rates to laborers below those determined herein through any subterfuge or device whatsoever.

"(c) Claim for unpaid wages: Any person who believes he has not been paid in accordance with this determination may file a wage claim with the Caribbean Area Office, Production and Marketing Administration, San Juan, P. R., against the producer on whose farm the work was performed. Such claim must be filed within 2 years from the date the work with respect to which the claim is made was performed. Detailed instructions and wage-claim forms are available at that office. Upon receipt of a wage claim the Caribbean Area Office shall thereupon notify the producer against whom the claim is made concerning the representation made by the laborer and, after making such investigation as it deems necessary, shall notify the producer and laborer in writing of its recommendation for settlement of the claim. If the recommendation of the area office is not acceptable, either party may file an appeal with the Director of the Sugar Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. Such appeal shall be filed within 15 days after receipt of the recommended settlement from the area office; otherwise such recommended settlement will be applied in making payments under

the act. If a claim is appealed to the Director of the Sugar Branch, his decision shall be binding on all parties insofar as payments under the act are concerned.

"STATEMENT OF BASES AND CONSIDERATIONS

"(a) General: The foregoing determination provides fair and reasonable wage rates which a producer must pay as a minimum for work performed by persons employed on the farm in the production, cultivation, or harvesting of sugarcane in Puerto Rico during the calendar year 1951, as one of the conditions for payment under the act. In this statement the foregoing determination, as well as determinations for prior years, will be referred to as 'wage determination', identified by the calendar year for which effective.

"(b) Requirements of the act and standards employed: In determining fair and reasonable wage rates it is required under the act that a public hearing be held, that investigations be made, and that consideration be given to (1) the standards formerly established by the Secretary under the Agricultural Adjustment Act, as amended, and (2) the differences in conditions among various sugar-producing areas.

"A public hearing was held in San Juan, P. R., on October 5 and 6, 1950, at which interested persons presented testimony with respect to fair and reasonable wage rates for the calendar year 1951. In addition, investigations have been made of the conditions affecting wage rates in Puerto Rico. In this determination consideration has been given to testimony presented at the hearing and to information resulting from investigations. The primary factors which have been considered are (1) prices of sugar and byproducts; (2) income from sugarcane; (3) cost of production; (4) cost of living; and (5) relationship of labor cost to total cost. Other economic influences also have been considered.

"(c) Background: Determinations of fair and reasonable wage rates for Puerto Rico have been issued each year since 1938. The first wage determination increased wage rates over those that had prevailed during 1937 and immediately preceding years. The relationship of wages to income of producers was generally maintained, however, in the same ratio as had existed theretofore in the collective bargaining agreements negotiated between producers and laborers. In the 1938 wage determination the basic wage rate for the least skilled workers was \$1 per 8-hour day. This rate was increased to \$1.30 in 1942 and \$1.50 in 1943. Commensurate increases were made in the rates for workers of higher skills during those years and in 1944. Subsequent to 1944 basic wage rates have remained unchanged.

"In 1940, when increases in raw sugar prices were anticipated, there was incorporated in the wage determination a provision for wage increases over and above basic wage rates when the price of raw sugar exceeded a stated price. While details of the wage increment plan changed in subsequent years, the wage determinations in all years except for a portion of 1943 have included a wage-price escalator scale. In the 1948 wage determination the wage escalator scale provided that increases of 4.5 cents per day above the basic day wage rates shall be paid for each 10 cents, or fraction thereof, increase in the 2-week average price of raw sugar above \$3.80 per 100 pounds. This scale was maintained in the 1949 and 1950 wage determinations.

"In the 1938 wage determination basic daily wage rates were established for various classes of workers grouped according to relative skills. In subsequent years revisions have been made in the classification and grouping of jobs as a result of changes in production methods. In all years since 1938 a differential in rates has been provided for farms delivering sugarcane to certain mills in the interior region of the island.

"(d) 1951 wage determination: The basic wage rates and the wage-price escalator scale of the 1951 wage determination continue unchanged from those in effect in the 1950 wage determination.

"An examination of factors customarily considered in wage determinations, in the light of conditions likely to prevail during 1951, indicates a reasonable basis for continuing the basic wage rates and wage-price escalator scale of the 1950 wage determination.

"In making this determination the Department had available data with respect to the costs, returns, and profits of the Puerto Rico sugar industry. These data show that the maintenance of the 1950 scale of wage rates for 1951 will not prejudice the ability of producers to pay such wages. Since the wage increments of the escalator scale are geared to changes in the market prices of sugar, wage rates in 1951 will be responsive to income changes which result from sugar prices. Thus, the relationship of wage rates to sugar prices should remain about the same as in previous years.

"The latest available information on living costs of workers in Puerto Rico indicates that costs of food and clothing were about the same as for the comparable period in 1949. However, more recent reports for the continental United States indicate advances in living costs. Similar increases probably will occur in the living costs of Puerto Rican workers. During recent years workers have received a relatively favorable real wage, as compared with 1943-44, and with moderate increases in living costs, this position should be maintained.

"At the public hearing a substantial amount of testimony pertained to changes in production methods which result in displacement of workers or anticipated loss of work opportunities. Representatives of producers recommended a reduction in the wage rates for certain classes of workers while labor-union representatives recommended increases in wage rates and, in some cases, recommended a prohibition of the use of particular labor-saving practices. While consideration has been given to this testimony and to the recommendations made in connection therewith, in view of the analysis set forth above the recommendations on wage rates have not been adopted. The prohibition against the use of any production method is not within the scope of wage determinations.

"As in previous wage determinations, in addition to cash wages the workers must be furnished without charge customary perquisites such as a habitable house, medical attention, and similar items.

"On the basis of the analysis of all factors customarily considered in wage determinations, it is indicated that the wages provided in this determination are fair and reasonable.

"Accordingly, I hereby find and conclude that the foregoing wage determination will effectuate the wage provisions of the Sugar Act of 1948. (Sec. 403, 61 Stat. 932; 7 U. S. C., sup. 1153. Interprets or applies sec. 301, 61 Stat. 929; 7 U. S. C. sup. 1131.)

"Issued this 26th day of December 1950.

"CHARLES F. BRANNAN,
"Secretary of Agriculture."

PUERTO RICAN LABOR CONTRACTS

Mr. GOODWIN. If I may, Senator, I would like to add this: In 1946, according to the best estimates we could get, there were 200 Puerto Ricans brought in under contractual arrangements.

In 1947 there were about 875 that were brought in. We got the program in 1948. We stepped it up some in 1948 when we brought in about 3,500.

In 1949 it went to about 4,000. These are the Puerto Ricans under contract, now, not counting those that came in under their own steam.

Senator CHAVEZ. The ones under contract come in and work, say, for 4 or 5 or 6 months and then go back?

Mr. GOODWIN. That is right, sir.

Senator CHAVEZ. That is part of their contract?

Mr. GOODWIN. Yes.

Senator CHAVEZ. That is, that they are to be returned?

Mr. GOODWIN. That is right—although, if they choose not to return, there is no compulsion. There is an incentive, in terms of transportation costs, that is held out. The money is available for them.

Senator CHAVEZ. What is the record on that? Do they go back?

Mr. GOODWIN. Most of them do. The places where there has been a significant percentage of them stay is where they are located close to centers, such as New York, where there are fairly large groups, and they may have relatives, and are inclined to stay.

The agricultural employment season in Puerto Rico and in the United States dovetail very well. You can use the farm workers of Puerto Rico in the United States during the Puerto Rican off season. Many of them do not like the winter climate here. The majority of farm workers prefer to go back after they have worked through the summer months.

Senator CHAVEZ. What I have in mind is this: The United States is contributing millions and millions of dollars in different ways to Puerto Rico. If they can help themselves by working, it will save us quite a little. If we can, we should use the Puerto Ricans and the Indians.

PLACEMENT OF INDIANS

Now, we spend a lot of money for our Indians. I have seen the amount grow, during my short time in Congress, from \$22,000,000 a year to \$56,000,000 a year. We should try to get the Indians in my State and elsewhere to earn—and they want to earn—the American dollar very much. So, why not use them instead of someone else?

Mr. GOODWIN. Mr. Chairman, I regret that I am not prepared to give you offhand the figures that are involved in the placement of Indians, but we have done a lot of it. I would like to submit to you a statement of how much we have done on the placement of Indians.

Senator CHAVEZ. You take even in New York, right outside of Buffalo, there are, I think, 14 square miles of Indian reservation, and there is nothing but a bunch of beggars around there. Also, there are reservations around Rochester and other places. Those folks are entitled to decency, at least to work.

Mr. GOODWIN. That is right; everyone is entitled to work.

EMPLOYMENT OF NAVAJO INDIANS

Mr. KEENAN. Last year for the first time on the Navajo Reservation in the Southwest, every available Navajo who would take farm work was given a farm job. We used them as far north as Idaho.

Senator CHAVEZ. The Navajos form a potential of at least 30,000 employees.

Mr. KEENAN. We went in there and recruited them, any everyone who accepted employment was given employment. They were used up as far as Idaho. Every one of them who would take a job was given a job. Arrangements are being made this year for the same thing, and we expect to get even more. One of the problems there is that some of them did not want to leave the reservation, but we did use most of them last year.

Senator CHAVEZ. We tried to move some people from Arkansas and the marginal area there in the early days of the New Deal. People don't like to leave their homes. That is only natural, but they do like to work and to earn money. They want to be self-

sufficient, instead of accepting the hand-outs of the Indian Bureau.

EMPLOYMENT OF OTHER INDIAN TRIBES

Mr. GOODWIN. We also placed a large number from the reservations up in the Dakotas—both North and South Dakota.

I would like to submit a statement on that.

Senator CHAVEZ. I wish you would, because that is one of the bad areas. The situation in the Dakotas is possibly worse than in New Mexico, California, or Arizona. In California they are getting a nice deal. They are being accepted, they go to public school, Senator, as you know, they are just Jim Jones or John Doe, and it is working out fine. But the Dakotas are really a bad area.

(The information requested is as follows:)

"EMPLOYMENT OF AMERICAN INDIANS IN AGRICULTURE

"The policy of the United States Employment Service in governing the placement of American Indians in employment is no different than that applying to other domestic workers. In other words, it calls for the full utilization of available and qualified domestic labor supplies before going elsewhere in search of workers to fill labor requirements.

"Methods used in recruiting Indian workers are much the same as used for other workers. It is frequently necessary, however, to expend far greater effort in recruiting Indian workers since they may be hampered by language difficulties (one reservation has only approximately 20 percent who speak English) tied to tribal custom and ceremony, live in relatively remote places, cannot be reached by telephone or telegraph, and are often unskilled.

"Efforts by the United States Employment Service and State affiliated service to recruit and utilize Indians in agriculture began in the early 1940's prior to the transfer of the Farm Placement Service to the United States Department of Agriculture in January 1943. Upon return of the Farm Placement Service to the Department of Labor in 1948, efforts to place and utilize Indians in agriculture as well as other work were substantially increased. A practical program with these objectives is now in effect nationally and, as a result, in 1950, 31,280 placements of Indians in agriculture were made—an increase of 20 to 25 percent over 1949. These placements were the result of organized recruitment on the reservations. Many others were placed who left their reservations voluntarily. Since records in local employment offices do not distinguish an Indian from any other applicant, the exact number of these placements is unknown.

"In addition, large segments of the Indian population are either self-employed, engaged in construction and railroad maintenance, military depots, or other industrial work. Progress has also been made in placing graduates of Indian schools in immediate employment, one State agency reporting 100 percent placements for 1950.

"At the present time there is a demand for 13,150 Indians in Arizona and 3 surrounding States for agriculture and railroad employment with a supply available for off-reservation work of only 11,250. The Navajo-Hopi Reservation at Window Rock cannot supply the demand for Indian labor in the South Central and Mountain States. Railroads and agriculture offer the majority of jobs."

NUMBER OF PUERTO RICANS RECRUITED IN 1950

Mr. GOODWIN. Mr. Chairman, I did not quite finish.

In 1950 we brought in approximately 13,500 Puerto Ricans and we are hoping that that number will be considerably increased this season.

Senator KNOWLAND. Do you mean 13,500 under contract?

Mr. GOODWIN. Yes, sir. This is just on farm work. We estimate that there were

another 3,500 at least, who came in under their own steam to take farm employment.

DECREASE IN PERSONNEL

Senator KNOWLAND. Should not there be some curtailment in the personnel in the unemployment compensation phase of your work, with practical maximum employment in the country, with employment getting to the point where we have practically a rock bottom unemployable group left on the unemployment rolls? It would seem to me that at least that phase should drop off considerably. Have you any figures to show how much it is dropping off?

Mr. GOODWIN. Yes. The \$6,361,000 reserve that was taken by the Bureau of the Budget under section 1214 of the Appropriations Act of last year was for that reason. I mean that there had been a dropping off in unemployment insurance claims.

Senator KNOWLAND. Was that done for that reason or because of the action taken by Congress?

Mr. GOODWIN. That was the justification, the drop in the case load.

As you recall, the Congress made the cut on a general basis, and then requested that it be applied by the Bureau of the Budget, which in turn decided that that much could be taken off on the unemployment insurance program.

Senator KNOWLAND. You were, therefore, not hurt in your appropriation on the unemployment phase of your program by the action of Congress last year?

Mr. GOODWIN. No; we are not contending that we were.

Now, my only point on this is that one slash was taken and we are recommending a further slash here. There are some phases of unemployment insurance, however, that do not go down in this kind of a period. I give some attention to that in my statement, and try to analyze what we are up against on that.

TRANSFER OF FUNDS FOR DEFENSE ACTIVITIES

Senator CHAVEZ. You are talking about the possibility of a supplemental request, notwithstanding the fact that you will be allowed 367 new employees and \$954,250 out of funds that you did not get from the Department, but out of Presidential funds? Will you explain that? You are contemplating an expansion of activities for 1951 to be financed out of allotments for expenses of defense production by the Executive Office of the President?

Mr. GOODWIN. Is that the appropriation that is before the House Deficiency Committee, sir?

Senator CHAVEZ. Yes. This is the House report. It indicates that that amount will be transferred to your agency. That is shown on page 136 on the hearings before the subcommittee of the House.

Mr. GOODWIN. That relates to the departmental appropriation. What I was referring to here was the grants to the States.

You see, we have two distinct and different appropriations.

ADDITIONAL EMPLOYEES

Senator CHAVEZ. I know, but you have not mentioned that you are getting this, outside of what you are asking for here. You did not mention this insertion on page 136 of the House hearings. You are to get in addition practically \$1,000,000 to take care of 367 additional employees.

Mr. GOODWIN. That was defense needs requested by us, and part was approved by the Bureau of the Budget for departmental funds. The whole matter has been placed in doubt by the action of the House Appropriations Committee.

Senator CHAVEZ. Yes; I know; but what we would like to get is a complete picture. If you need these 367 more employees, why don't you tell us about it? You do not tell

us that you want something else, and you do not tell us that that something else may come from some other agency of the Federal Government. I think if you did you would get along better.

Mr. GOODWIN. That is what we felt we needed for the supplemental funds.

Senator CHAVEZ. Why do you not tell us that, instead of having it covered up elsewhere? Why do you not tell us that you need 367 additional people?

Mr. KEENAN. Mr. Goodwin was speaking of the State grants. This is our Federal budget. We had not started to talk about that. We had two kinds of funds—the money that we have for State grants and then our own Federal budget. We have not talked about our own Federal budget.

Senator CHAVEZ. That is right. Possibly I was a little ahead of you.

Mr. GOODWIN. If it is satisfactory to the committee, I will proceed and then come back and cover this later?

Senator CHAVEZ. Go ahead, sir. You might elaborate a little further on with regard to Senator KNOWLAND's question; that is, if employment keeps on the increase—and the chances are that it will—why should you not reduce instead of increasing your expenses—including the Federal aid to the States?

Mr. GOODWIN. That is a very good question. I have an analysis of that in my statement; and if it is satisfactory to you, I will present that, and then we can get at the rest of it by questions.

Senator KNOWLAND. As long as we get the information.

INCREASE IN STATE SALARY RATES

Mr. GOODWIN. I should like to comment on the effect of State salary rates on our total needs. When we appeared before you in connection with the 1951 request, we were using in our estimate an average State salary rate of \$2,810 per year. By July 1, 1950, when we made our first allotment to the State, it had increased to \$2,887. Contemplating further increases, we estimated an average annual rate of \$3,003 in our 1952 request. Our estimate was too conservative, however, because the rate is now over \$3,100.

Primarily, the increases are due to the continued reductions in the unemployment-insurance claims workload. To a large extent, this job is done by people in the lower pay grades, and when they are laid off in substantial numbers, as has been the case during most of 1951, the average salary rate rises sharply. Several States have also made general increase in their salaries, and this, too, increases the average annual rate.

To point out the over-all effect of increases in State average annual salaries, our 1952 request would be smaller by approximately \$8,000,000 if the salary rate used were the same as the \$2,810 rate we used in our request to you for fiscal year 1951.

In developing our estimates for the States' budget, we have combined estimated workloads for the principal employment-security functions and the time factor, or length of time necessary to do a single unit of work. This result, together with costs of State administration and nonpersonal services is converted to the activities you see in our request. With one minor exception, our time factors are no larger than in 1951, and in several cases they are less. The estimate for the cost of nonpersonal services—an area which is greatly influenced by rising prices—is approximately the same as for 1951 and somewhat under current rates of expenditures.

1952 REQUEST FOR UNEMPLOYMENT INSURANCE ACTIVITIES

For all unemployment insurance activities, our request for 1952 totals \$73,006,800, a decrease of \$8,960,000 from 1951. This request reflects a continuation of the workload trends that developed in 1951 but on a more modest basis.

Claims activity will continue to decline, but not as sharply as in 1951; and tax-collecting activities will increase.

Let me briefly explain the request by activity:

TAX COLLECTING AND AUDITING

The first activity is tax collecting and auditing. This covers such things as determining which employers are covered under the unemployment insurance laws, determining the tax rate, collecting the taxes, and auditing employer accounts. We are requesting \$22,183,300 for this activity, an increase of \$745,900 from 1951.

Senator KNOWLAND. Are not some of those functions carried on by the States?

Mr. GOODWIN. All of them are, but the Federal Government finances them. What I am talking about now, Senator, is all administered by the States.

Senator CHAVEZ. The grants are made by the Federal Government to the individual States?

Mr. GOODWIN. These are the grants. I understood that what the committee wanted, was not just plus or minus figures, but rather, some basic material, as justification.

Senator CHAVEZ. That is right.

UNEMPLOYMENT INSURANCE WORKLOAD

Mr. GOODWIN. In terms of workload, the request includes 6,200,000 tax returns to be processed and 820,000 determinations of employers' liability under the State unemployment insurance laws.

These workloads do not normally fluctuate materially from year to year. They reflect the general improvement in the economy, and are the minimum necessary for the States to carry out their obligations under State laws.

MAINTENANCE OF WAGE RECORDS

Closely akin to this activity is the next one, which covers maintenance of wage records. This consists of processing the employers' reports of the workers' earnings and establishing an individual file record of such earnings. Our request for this activity is \$6,636,900, to cover the processing of an estimated 158,000,000 individual wage records for 1952, which are expected as a result of high levels of defense and civilian employment.

1952 AMOUNT FOR PROCESSING OF CLAIMS

The next four activities, namely, initial claims taking, claims processing, continued claims taking, and benefit payment processing, are all very closely related. They involve the taking of the claim, the determination of the amount to be paid, the actual payment of the claim, the necessary record keeping, and the fraud prevention and detection activities. Our estimate for these activities totals \$40,838,600, which is a decrease of \$9,015,700 from 1951.

PAYMENTS OUT OF UNEMPLOYMENT RESERVES

Senator KNOWLAND. I wonder if we can insert in this record, even though it may be in the House record, just what the claims have been on these unemployment reserves, say, for the past 10-year period?

Mr. GOODWIN. On the reserves, sir?

Senator KNOWLAND. The payments out to unemployed people.

Mr. GOODWIN. Yes.

Senator KNOWLAND. So that we can see the volume of work that is being handled throughout the country.

Mr. GOODWIN. Yes; we will be glad to furnish that for the record. That would be the amount of money paid out of these funds?

Senator KNOWLAND. And the number of claims, because that certainly should have some relationship to the number of people employed in processing those claims.

From the point of view of the collection of taxes, and so forth, and the auditing of accounts, I can see how that job is a more or less continuous job and would not fluctuate too much, but, in the paying-out proc-

ess, there certainly should be a considerable fluctuation between a high point of unemployment and a low point of unemployment.

Mr. GOODWIN. That is right. The first part, however, is the part that so many people forget, about unemployment insurance, and that is that you have this regular cost of collecting taxes and keeping the wage records.

Senator CHAVEZ. That goes on.

Mr. GOODWIN. And even in periods like this, it goes up.

Senator KNOWLAND. Why is there more employment?

Mr. KEENAN. Because there are more employers from whom to collect taxes.

Mr. GOODWIN. That is right. It is related to the number of employers.

I have some figures here on how it ran, a comparison for the period July to December of 1949 with July to December of 1950, in your State, Mr. Chairman, if you would like that.

Senator CHAVEZ. That is fine. But there will be plenty of time to get the information in the record, if you will give it to us, say, for a 10-year period, a comparative study.

Mr. GOODWIN. I can do that for all States, and put it in the record.

Senator CHAVEZ. Very well.

Mr. CORDON. Mr. President, I yield 5 minutes to the junior Senator from Washington [Mr. CAIN].

Mr. CAIN. Mr. President, I rise in support of the amendment offered by my colleague, friend, and neighbor, the senior Senator from Oregon [Mr. CORDON].

S. 984 proposes to supply agricultural workers from Mexico, not from Hawaii, not from Canada, not from any other country in the Western Hemisphere—from Mexico only.

S. 984 would establish reception centers "at or near the places of actual entry of such workers into the continental United States." That means, Mr. President, reception centers in California, Texas, and perhaps Gulf cities in Louisiana, Alabama, Mississippi, and Florida.

S. 984 requires an employer to pay the total transportation cost of the workers he may hire to and from those reception centers. It is a long way and many dollars from the Mexican border to the State of Washington. It is many miles from the Gulf Coast to Idaho and Montana.

Washington State is so far from the Mexican border that the cost involved in paying the total cost of the workers' transportation to and from the border is prohibitive. When these workers get into our area it will be necessary to move them to three or four different localities during the season; these localities may be 200 to 300 miles apart. For example, the first big need for this type of labor in our area is in sugar beet thinning in Idaho or western Montana in April and May. During June and July many of these workers can be moved to the green pea harvest area in eastern Oregon and Washington, at least 250 miles from the beet area. Then in August they would be moved to the Puget Sound area, northwest Washington, or to the Willamette Valley and Medford in Oregon to harvest soft fruits, beans, peas, and other vegetables. Then they would be needed in late September and October in the apple harvest in the Hood River, Oreg., area, the Yakima Valley and Wenatchee-Okanogan area of Washington, or in the

potato harvest of central Oregon and Washington.

If employers were required to pick these workers up at reception centers at or near the Mexican border, it would cost them approximately \$50 each way, or \$100 a man, to get them to and from the border. Then these moves within the area already referred to would cost at least \$30 a man for transportation and subsistence. Also, Senate bill 984 provides that employers reimburse the Government for recruiting expense up to \$20 a man.

This would mean that under such a program, it would cost an employer a total of \$150 a man in addition to camp costs and food and wage compliance.

The growers of Oregon, Washington, and western Idaho cannot afford these additional increased costs of \$2 per man-day for Mexican Nationals over and above the cost of domestic labor.

Mr. President, the amendment of the Senator from Oregon is not sectionalism; it favors no one area over another. Neither he nor I seek a special privilege for the growers in our northwestern States. Simple justice, plain equity, demand that farm labor employers in every section of the country—New England, the Dakotas, Wisconsin, Michigan, and Minnesota—receive equal treatment with their southern or midwestern neighbors and friends.

The amendment of the senior Senator from Oregon simply gives to the Secretary of Labor the necessary discretion to locate these Mexican labor reception centers at points equidistant from all areas where supplemental farm labor is needed.

I encourage my colleagues to exercise their American sense of fair play and accept this amendment which has been so ably offered by the senior Senator from Oregon.

Mr. CORDON. Mr. President, I reserve the time remaining to me, and yield the floor so the Senator from Louisiana [Mr. ELLENDER] may speak.

Mr. ELLENDER. Mr. President, by the adoption of the amendment offered by the Senator from Oregon the bill would be changed in four major ways.

In its present form the bill provides that the Secretary of Labor shall establish, at or near the border between the United States and Mexico, reception centers to which Mexican labor would be brought from the interior of Mexico. At the reception center the worker would enter into a contract with American employers for temporary employment in the United States. The pending amendment would make it possible for the Secretary of Labor to establish these centers at interior points in the United States, away from the Mexican border.

The first objection to the amendment is that it would change the basis of the bill from one attempting to implement the present method of importing Mexican labor, to one of meeting an emergency. The program contemplated by the pending bill would continue to make Mexican workers available in those areas of the country where it is economically feasible for private employers to hire

them; whereas if the pending amendment were adopted it would change the purpose of the bill by making its goal the placing of Mexican laborers at Government expense at any point in the United States where an emergency shortage of labor existed.

Secondly, the amendment changes the policy of the Federal Government with respect to the subsidization of farm labor. The bill is designed to carry out the agreement reached with Mexico at a minimum cost to the Federal Government by continuing the present practice of employers paying practically all the costs. The bill provides that the employer would reimburse the Federal Government up to \$20 per worker for expenses incurred in providing transportation and subsistence for Mexican workers. This maximum reimbursement is expected to cover practically all such costs in bringing Mexican workers from the interior of Mexico to reception centers in the United States at or near the border. If reception centers are established in the United States other than at points at or near the border, it becomes apparent that all additional transportation and subsistence costs will be paid by the Federal Government. This involves substantial subsidization by the Federal Government of farm labor in the United States. Such subsidization has been made in the past only during World War II, and not during peacetime or partial mobilization periods. Therefore, adoption of the amendment involves a major change in policy of our Government.

Thirdly, the effect of the amendment on the legislation would result in discrimination against domestic workers and workers from foreign countries other than Mexico. The bill as reported requires that the employer pay practically all of the costs of importing Mexican workers. Before he can import them, it must be certified that domestic workers are not available, and that such importation would not adversely affect their wages and working conditions. However, if the amendment is adopted, it will mean that the Federal Government will be paying for the transportation and subsistence of Mexican workers to any point in the United States, while no subsidization will be offered for any domestic workers, or any worker from a foreign country other than the Republic of Mexico. Again, the question must be answered if the amendment is adopted as to why the same method should not be applied to Canadians, to Jamaicans, to Hawaiians, to Puerto Ricans as well as domestic workers.

Finally the amendment will increase the cost of the program tremendously. The bill is designed to have the employers pay practically all costs for transportation and subsistence in importing workers from Mexico. The legislation also authorizes the Federal Government to establish reception centers at or near the border, to receive workers from Mexico, and to house them during the negotiations for contracting. The establishment and maintenance of these reception centers will be the main expense of the Government in this program. The

establishment of reception centers at other points in the United States will mean, first, that practically all the transportation and subsistence costs incurred in the United States will be paid by the Federal Government, and second, the Federal Government will, of course, have to pay for the additional reception centers. The Department of Labor has not estimated what the cost of establishing and maintaining these reception centers will be. It has estimated that construction of an overnight rest camp will cost \$70,000, and it is reasonable to assume that the reception centers will cost many times that amount. The reception centers authorized by the bill at or near the border will undoubtedly be used on a full-year basis. If reception centers are established wherever an emergency farm labor shortage occurs, they may be used for one season only, and complete utilization from year to year will not be possible.

Mr. President, as I explained to the Senate 10 days ago, when the bill was first considered, the labor is recruited in Mexico under the auspices of our Government, at centers to be agreed upon by Mexico. The workers are then taken from those centers and brought to reception centers established at or near the border within the United States. At the centers in the United States, employers enter contracts with the Mexican laborers. The expense of transportation and subsistence of the laborers between the center established in Mexico and the one established on the border is paid by the United States Government, but each employer is required to reimburse the Federal Government up to an amount not exceeding \$20 per worker for such expenses. Thus the legislation is designed to provide that the employers of these workers will pay as much of the total cost of the program as possible.

If the amendment is adopted, it can readily be seen that the result will be that instead of the employers paying the entire expense, the Federal Government will be called upon to subsidize the employers of farm labor. In other words, if the centers are established, let us say, in Seattle, in St. Louis, and in Denver—in fact, at any point away from the border—the Federal Government will be called upon to pay every cent of the transportation from the interior of Mexico to those established centers, less the sum of \$20.

Mr. President, if we are to undertake a program of that character, we ought to make it apply not only to Mexican labor, but to all forms of foreign as well as domestic labor that may be needed to maintain American agricultural production.

Today we have in force an agreement whereby employers in the United States go into Mexico, hire Mexican labor, pay all of the expenses in connection with obtaining such labor, and in that way obtain a great many agricultural workers. The Mexican Government, however, does not desire to continue that agreement. Therefore, in order that we shall be able to carry out a tentative new agreement between the United States

and Mexico, it is necessary that this bill be enacted.

As I pointed out a moment ago, if we should adopt the amendment, there will be discrimination against foreign laborers from countries other than Mexico and against our own domestic farm labor. Why should not we have a plan providing that if there is a national emergency in farm labor, the Government will pay for the transportation not only of foreign farm labor, but also of domestic farm labor? I believe such alternative must be considered in connection with the problem raised by the amendment.

Mr. President, I repeat a statement I have made previously, namely, that in the future a time may come when it will be necessary—because of the existence of an emergency, and in order to obtain the labor needed not only on the farms, but also in industry—to enact legislation similar to that which was in effect during World War II. It will be recalled that during World War II we had in effect a plan whereby our Government financed the transportation, subsistence, and other expenses not only with respect to relocating farm labor, but also, with respect to relocating industrial labor. That cost the taxpayers of the United States in excess of \$30,000,000 a year during World War II. I do not believe this bill should now be placed in that category. I contend that we are not yet in an emergency which would require the Congress to enact a bill making it possible to transport labor from one place to another.

I repeat, Mr. President, that the purpose of this bill is merely to carry out a proposed agreement which has been entered into between our Government and the Mexican Government, without which we would be unable to obtain any Mexican labor legally. As I have pointed out, employers in the United States have been obtaining Mexican labor under the terms of an agreement which became effective August 1, 1949. The Mexican Government has given us notice that it will no longer agree to contracts made under those terms, and that in order for Mexican labor to be imported into the United States, it will be necessary for that to be done in accordance with the tentative agreement reached the first part of this year. I believe the bill will authorize our Government to carry out its part of that agreement in the best way possible but the pending amendment would embark our Government on a totally different type of farm labor program from that contemplated by the basic legislation.

Mr. DWORSHAK. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MOORE in the chair). Does the Senator from Louisiana yield to the Senator from Idaho?

Mr. ELLENDER. I yield.

Mr. DWORSHAK. Surely the Senator from Louisiana is not contending, is he, that in the past several months the farm labor situation has not become more acute by virtue of the recruitment of labor in areas in the West, particularly for employment in munitions

plants, in atomic energy installations, and in airplane factories?

Mr. ELLENDER. I am not contending that at all, Mr. President. The point I am trying to make is that when our committee considered the bill, it was considered, not in the light of an emergency bill, but simply as a bill to provide ways and means by which Mexican labor could be brought into our country for use on our farms. In other words, if this bill should not be enacted, we would not be able to contract for Mexican workers legally as we have in the past.

As the law now stands, contracts are entered into by employers in the United States with employees in Mexico, without any subsidies or guaranties by our Government. However, the Mexican Government has now refused to continue this program unless it is done under terms and conditions outlined in an agreement which was entered into between the United States and Mexico in January of this year. As I have stated, the purpose of this bill is to carry out that phase of the agreement.

Mr. President, during the course of the hearings, we tried to obtain from the Department of Labor and from other sources information as to what the cost of the program would be. However, we could not obtain any information as to how much it would cost to establish a reception center. The Department did estimate that it would cost \$70,000 to construct an overnight rest stop and undoubtedly a reception center would cost many times that amount.

As I stated before the committee, if the time comes in the near future when we have an emergency condition which makes it necessary for us to bring into our country not only Mexican labor but other foreign farm labor, and also to provide for the transportation of domestic farm labor, that problem should be considered then as a whole. However, let us not pass, at this time, a bill which would be grossly discriminatory against domestic workers and foreign workers from countries other than Mexico by adoption of the pending amendment. If the amendment of the senior Senator from Oregon [Mr. CORDON] is adopted, it will mean that the Government of the United States will have to pay the entire cost, less \$20, of transporting Mexican workers from the interior of Mexico all the way to Portland, Oreg., if the laborers are to be employed there, or to other points in the United States. Again I repeat, that would change the purpose and policy of the bill.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. HUMPHREY. I wonder whether the Senator from Louisiana has given any thought to the possibility of increasing the \$20 minimum fee. Twenty dollars does not cover very much, anyway, even in the case of the cost of transportation to the reception centers originally proposed. Would not it be possible to increase the \$20 minimum?

Mr. ELLENDER. The purpose of the \$20 fee is to cover the cost of transportation and subsistence in Mexico.

Mr. HUMPHREY. That is correct.

Mr. ELLENDER. Personally I would much prefer, if the Congress feels that way, to provide that employers whose farms are at a considerable distance from the border shall receive some sort of rebate. I am not advocating that; but I would prefer it to the establishment of the proposed centers.

Mr. HUMPHREY. The question I ask of the Senator from Louisiana is this: If the Cordon amendment should be adopted, would not it be within the realm of fair play and reasonableness to suggest a moderate increase in the minimum sum which an employer would be required to pay?

Mr. ELLENDER. The purpose of the \$20 payment, as I have said, is to pay for the actual expenses within Mexico. Certainly the Senator from Minnesota would not want to pay a greater amount than that actually needed?

Mr. HUMPHREY. Yes, I would.

Mr. ELLENDER. I would not. Why should we make a farmer who lives on the border pay a considerably larger amount than the cost of transporting the laborer from, let us say, the interior of Mexico to the point on the border where the employer's farm is located?

I understand that my distinguished friend intends, by means of his amendment, to make the payment equitable.

Mr. HUMPHREY. Thirty-five dollars was the amount suggested by me.

Mr. ELLENDER. But in the amendment of the Senator from Oregon we find this provision: "Provided, That such reception centers shall be distributed geographically so as to provide, as far as practicable, equality of costs and opportunity of obtaining such workers in the areas where the Secretary finds need therefor to exist."

If we could work out a method which would take care of the transportation from a point within Mexico to a point within the United States, I would much prefer that approach to the establishment of centers throughout the country.

Mr. HUMPHREY. Mr. President, will the Senator yield further?

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. ELLENDER. I am sorry that my time has expired, and I am unable to yield.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. CORDON. Mr. President, how much time have I?

The PRESIDING OFFICER. The Senator from Oregon has 3 minutes.

Mr. CORDON. I yield 1 minute to my friend, the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 1 minute.

Mr. HICKENLOOPER. Mr. President, although this type of labor is not particularly attractive in my immediate section of the United States, nevertheless it is attractive in various other sections. I feel that it is a good thing to obtain this supply of labor if it can be obtained without undue cost. I believe that the amendment of the Senator from Oregon is a proper one. I think it should be adopted.

However, I also would go along with a commensurate increase in the total overall transportation cost, the payment of which might be provided for in the bill, in order to equalize the costs of transportation to the various areas of the United States.

Mr. President, I believe that the time allotted to me has expired. I thank the Senator from Oregon for yielding this time to me.

Mr. CORDON. Mr. President, in his argument today, the distinguished Senator from Louisiana repeated, as I understood him, the matters he presented in his original argument before the Senate. They were answered by me in my argument of the other day.

Let me say that there is no reason for any cost for maintaining beyond the Mexican border any reception center for any laborer. All the Secretary of Labor need do is to determine the points to which the laborers come and from which they return, with expenses prepaid by the American Government. The remainder is all taken care of exactly as it is today. It is solely a matter of good administrative judgment on the part of the Secretary of Labor, and I think we can indulge the hope that we will have that sort of administration, and that the result will be equity as between agricultural areas in the several States of the United States in which there is a critical labor shortage which cannot be met domestically. If there is no shortage, there is no call for the foreign labor. If there is a shortage, there should be equity in its supply and in the cost of providing it. I yield the remainder of my time to the chairman.

Mr. ELLENDER. Mr. President, of the hour which I would have on the bill itself, I now yield 10 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 10 minutes.

Mr. HOLLAND. Mr. President, I hope that this amendment will not be adopted, because its adoption would mean that many of us from that section of the Nation which does not use Mexican labor, but whose people are very anxious, by supporting this bill, to help both agriculture and the Mexicans in the area where Mexican labor is available, would be left in a position where we could not possibly support it. There are three reasons for saying that that is the case, and I should like to give those reasons for the RECORD.

I note that there are very few Members of the Senate present, but, since I shall have to oppose this bill if this amendment is adopted, and since a great many other Senators are in the same position, I think it only fair to state for the RECORD just why we oppose this amendment so vigorously.

The first reason is that the adoption of this amendment would discriminate completely against users of agricultural labor which comes from foreign sources other than Mexico, such as the Bahamas, Jamaica, Canada, and the like. We have not asked to be included in this bill. We do not want to be included in this bill. We, in Florida, ourselves are paying the expenses or bringing in needed agricultural labor from the Bahamas and from

Jamaica. We do not want to be subsidized, neither do we want to be regimented, and we therefore have not asked to be included within this bill.

The practice which has been built up is thoroughly satisfactory. It does not cost the United States Government a cent. It is not inimical to domestic labor, because there cannot be brought into the United States a single alien without first getting a certificate of the need for additional labor, over and beyond what domestic sources can supply. But if this amendment should be placed in the bill we would be in the position of having to see Federal funds expended in very large amounts, for instance, for transportation from such places of entry as Brownsville or El Paso, Tex., clear across an area of more than 2,000 miles to the fields of the Northwest, and for housing and subsistence at various places on the way. We feel that for the Government to pay those expenses and at the same time to pay not 1 dime for the importation of labor from the Bahamas and Jamaica and the transportation of those laborers from Miami, the port of entry, to Connecticut, or wherever they may be used, is an obvious discrimination against the users of those forms of alien agricultural labor in all the eastern area of the Nation. That is the first reason for our being opposed to this amendment, and we think that it is a perfectly sound reason.

Our second reason for opposing it is that the adoption of this amendment would be highly discriminatory as against domestic labor. I hope that the distinguished Senator from Minnesota will listen to this point, because I think it is valid and, in my opinion, there is no way in the world to meet it. If this amendment should be adopted without further change, the bill would be highly discriminatory as against domestic agricultural labor, because it would pay the transportation, subsistence, and housing of laborers coming in from Mexico, for distances of from 2,000 to 2,500 miles across areas of the United States and back, at the expense of the United States Government, without offering to do anything of the sort for domestic labor at similarly distant points, because domestic labor, if they wanted to go to the same places as, for example, the fields in Oregon or Washington, would have to pay their own expenses.

I realize there are certain practical difficulties involved in this problem, and I am quite agreeable to providing the expenses of maintaining a system under which the Federal Government may, agreeably to the Mexican Government, get labor in Mexico at places where there is unemployment, transport such labor into the United States, and make it equally available to all; but I would not be willing, and I do not believe any other Senator understanding the situation would be willing, to vote for a system under which there would be paid transportation within the United States for 2,500 miles in each direction of labor brought in from Mexico, in order that they might work in fields, let us say, in Washington, Idaho, or Oregon—and I have nothing but the friendliest feelings for all those good States—and at the same time no effort whatever would be

made to reimburse the travel or other expense of domestic laborers who might have equally as great a desire to see that interesting part of the country and to work there for a few months in the summer or fall as would the Mexicans. There simply is no equity toward our own people in such a program.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. HOLLAND. I will yield in a moment. Let me make my third point; after which I shall yield.

The adoption of this amendment would mean a very great degree of discrimination against domestic agricultural labor in the United States, and there would be no way in the world to prevent it.

The third point, Mr. President, and the reason why I would object to the amendment, is that it is a big entering wedge for what is the most grandiose scheme I have ever heard advanced for setting up a hierarchy the like of which I have not heard suggested elsewhere, the establishing of motels, transient camps, and tourist camps from the Canadian border to the Gulf, and from the Atlantic to the Pacific Ocean, as testified to before the committee by the Assistant Secretary of Labor, Mr. Robert T. Creasey. At an earlier time in the debate I placed in the RECORD his testimony. The amendment propose to furnish such entertainment to Mexican labor, scattered all over the country.

The fact that it involves more than one or two or three centers was never better illustrated than by the statement a few moments ago of the distinguished junior Senator from Washington [Mr. CAIN], who made it very clear that there would be required at least three centers of distribution in Washington State because of the necessity of supplying additional areas in his State at different times in the year. We realize that if we adopt this amendment and pass the bill we shall be giving an invitation, laying out the plush carpet for the creation of this grandiose scheme of multiple units of transient centers, tourist camps, and motels, manned at public expense, and with public agents to operate them for agricultural labor going up and down the country, though it may be confined to Mexican labor for the moment. Surely, with that kind of scheme it would be wholly impossible to exclude the implication that we would also have to be entertaining domestic agricultural labor very soon and it would not be many months before we would have to do it. I now yield to the Senator from Oregon.

Mr. CORDON. The Senator speaks of discrimination. Is it not a fact that every provision in this bill is a discrimination in favor of foreign labor, that every provision in it is a discrimination predicated upon the sole proposition that we do not have sufficient domestic labor, that we must get foreign labor, and that we cannot get it from the usual source, Mexico, except in the way provided in the bill.

Mr. HOLLAND. No. The Senator is not correct. There is no discrimination

in favor of Canadian labor; there is no discrimination in favor of Bahaman labor; there is no discrimination in favor of Jamaican labor; there is no discrimination in the bill in favor of any of the users of all those classes of labor, which means farmers in most of the eastern areas of the United States.

I have heard not one word from the farming interests of the eastern section of the United States by way of suggestion that they want any sort of a subsidy or any sort of a hierarchy established and maintained for their advantage. To the contrary, they say they want to and they insist upon handling their problem themselves, and at their own expense. The only reason for the bringing of Mexican labor into the picture is that under the practices which have existed, the very areas in Mexico which did not need to export their laborers have been the ones whose laborers have been exported; instead of going into the areas remote from the border, where there was unemployment and where the Mexican Government wanted the labor to come from, the labor has been drained away from the very home areas where it was most needed.

The Senator also knows that in the case of Bahama labor and Jamaica labor we do not have, as in the case of Mexico, a border more than 2,000 miles long over any portion of which a man could pass, regardless of the most efficient border inspection service.

Mr. CORDON. Would the Senator say that the section of the bill which provides subsistence, emergency medical care, and burial expenses, not exceeding \$150 for burial expenses in any one case, would be discriminatory? Would the Senator say that a provision guaranteeing wages is a provision available to all domestic workers?

Mr. HOLLAND. No; but I will say to the Senator that there is not a provision in the bill which allows this Mexican labor to be used for a dime more or less than is to be paid for domestic labor, nor is there anything in the bill which provides for other than transportation across the border to the edge of our country. The farmer has to pay the transportation and carry the whole burden from that moment forward just as in the case of domestic labor—no more and no less.

The PRESIDING OFFICER. All time for debate has expired. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. CORDON] for himself and other Senators, as modified.

Mr. ELLENDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Anderson	Carlson	Ellender
Bennett	Case	Ferguson
Benton	Clements	Flanders
Brewster	Connally	Fulbright
Bricker	Cordon	George
Bridges	Douglas	Gillette
Butler, Nebr.	Duff	Green
Byrd	Dworshak	Hendrickson
Cain	Ecton	Hennings

Hickenlooper	Long	Robertson
Hill	McCarthy	Russell
Hoey	McClellan	Saltonstall
Holland	McFarland	Schoeppel
Humphrey	McKellar	Smith, N. J.
Ives	McMahon	Smith, N. C.
Johnson, Colo.	Maybank	Sparkman
Johnson, Tex.	Millikin	Stennis
Johnston, S. C.	Monroney	Taft
Kefauver	Moody	Thye
Kerr	Morse	Tobey
Killgore	Neely	Underwood
Knowland	Nixon	Wherry
Langer	O'Connor	Williams
Lodge	O'Mahoney	Young
	Pastore	

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from Arizona [Mr. HAYDEN], the Senator from Montana [Mr. MURRAY], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

The Senator from Wyoming [Mr. HUNT] is absent by leave of the Senate on official business for the Committee on Armed Services.

The Senator from New York [Mr. LEHMAN] is absent by leave of the Senate on official business, having been appointed a member of the United States delegation to the World Health Organization, which is meeting in Geneva, Switzerland.

The Senator from Washington [Mr. MAGNUSON] is absent by leave of the Senate on official committee business.

The Senator from Nevada [Mr. McCARRAN] is absent by leave of the Senate on official business.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Maryland [Mr. BUTLER], the Senators from Indiana [Mr. CAPEHART and Mr. JENNER], the Senator from Pennsylvania [Mr. MARTIN], the Senator from South Dakota [Mr. MUNDT], the Senator from Maine [Mrs. SMITH], the Senator from Idaho [Mr. WELKER], and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from Utah [Mr. WATKINS] is necessarily absent.

The Senator from Nevada [Mr. MALONE] is detained on official business.

The Senator from Illinois [Mr. DIRKSEN] is absent because of illness.

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment, as modified, offered by the Senator from Oregon [Mr. CORDON] on behalf of himself and other Senators.

Mr. ELLENDER and other Senators requested the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from Arizona [Mr. HAYDEN], the Senator from Montana [Mr. MURRAY], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

The Senator from Wyoming [Mr. HUNT] is absent by leave of the Senate on official business for the Committee on Armed Services.

The Senator from New York [Mr. LEHMAN] is absent by leave of the Senate on official business, having been appointed a member of the United States delegation to the World Health Organization, which is meeting in Geneva, Switzerland.

The Senator from Washington [Mr. MAGNUSON] is absent by leave of the Senate on official committee business.

The Senator from Nevada [Mr. McCARRAN] is absent by leave of the Senate on official business.

The Senator from New Mexico [Mr. CHAVEZ] is paired on this vote with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Mississippi would vote "nay."

If present and voting, the Senator from Wyoming [Mr. HUNT], the Senator from New York [Mr. LEHMAN], and the Senator from Washington [Mr. MAGNUSON] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Maryland [Mr. BUTLER], the Senators from Indiana [Mr. CAPEHART and Mr. JENNER], the Senator from Pennsylvania [Mr. MARTIN], the Senator from South Dakota [Mr. MUNDT], the Senator from Maine [Mrs. SMITH], the Senator from Idaho [Mr. WELKER], and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from Utah [Mr. WATKINS] is necessarily absent.

The Senator from Nevada [Mr. MALONE] is detained on official business.

I wish also to announce that if present, the Senator from South Dakota [Mr. MUNDT], would vote "yea."

The Senator from Vermont [Mr. AIKEN] is paired with the Senator from Wisconsin [Mr. WILEY]. If present and voting, the Senator from Vermont would vote "yea" and the Senator from Wisconsin would vote "nay."

The Senator from Utah [Mr. WATKINS] is paired with the Senator from Maine [Mrs. SMITH]. If present and voting, the Senator from Utah would vote "yea" and the Senator from Maine would vote "nay."

The Senator from Illinois [Mr. DIRKSEN] is absent because of illness.

The result was announced—yeas 31, nays 43, as follows:

YEAS—31

Bennett	Ferguson	Moody
Benton	Flanders	Morse
Bridges	Hendrickson	Neely
Butler, Nebr.	Hickenlooper	O'Mahoney
Cain	Humphrey	Saltonstall
Case	Ives	Smith, N. J.
Cordon	Johnson, Colo.	Thye
Douglas	Langer	Tobey
Duff	McCarthy	Young
Dworshak	McMahon	
Ecton	Millikin	

NAYS—43

Anderson	Holland	Nixon
Brewster	Johnson, Tex.	O'Connor
Bricker	Johnston, S. C.	Pastore
Byrd	Kefauver	Robertson
Carlson	Kern	Russell
Clements	Kerr	Schoeppel
Connally	Kilgore	Smith, N. C.
Ellender	Knowland	Sparkman
Fulbright	Lodge	Stennis
George	Long	Taft
Gillette	McClellan	Underwood
Green	McFarland	Wherry
Hennings	McKellar	Williams
Hill	Maybank	
Hoey	Monroney	

NOT VOTING—22

Aiken	Hunt	Murray
Butler, Md.	Jenner	Smathers
Capehart	Lehman	Smith, Maine
Chavez	McCarran	Watkins
Dirksen	Magnuson	Welker
Eastland	Malone	Wiley
Fear	Martin	
Hayden	Mundt	

So, the amendment, as modified, offered by Mr. CORDON on behalf of himself and other Senators, was rejected.

Mr. DOUGLAS. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Illinois will be stated.

The CHIEF CLERK. At the appropriate place in the bill it is proposed to insert the following:

SEC. —. Section 8 of the Immigration Act of 1917 (8 U. S. C. 144) is amended to read as follows:

"SEC. 8. Any person, including the owner, operator, pilot, master, commanding officer, agent, or consignee of any means of transportation who—

"(1) brings into or lands in the United States, by any means of transportation or otherwise, or attempts by himself or through another, to bring into or land in the United States, by any means of transportation or otherwise, or

"(2) conceals or harbors, or attempts to conceal or harbor in any place, including any building, or any means of transportation,

any alien, including an alien crewman, not duly admitted by an immigration officer or not lawfully entitled to enter or to reside within the United States under the terms of this act or any other law relating to the immigration or expulsion of aliens, or any person who shall employ any alien when such person knows or has reasonable grounds to believe or suspect or by reasonable inquiry could have ascertained that such alien is not lawfully within the United States, or any person who, having employed an alien without knowing or having reasonable grounds to believe or suspect that such alien is unlawfully within the United States and who could not have obtained such information by reasonable inquiry at the time of giving such employment, shall obtain information during the course of such employment indicating that such alien is not lawfully within the United States and shall fail to report such information promptly to an immigration officer, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$2,000, or by imprisonment for a term not exceeding 1 year, or both, for each alien in respect to whom any violation of this section occurs."

Mr. DOUGLAS. Mr. President—

Mr. WHERRY. Mr. President, will the Senator yield so I may make a parliamentary inquiry at this point?

Mr. DOUGLAS. Yes.

Mr. WHERRY. Mr. President, with respect to amendments offered by Members of the Senate, it is my understanding that if the distinguished Senator from Louisiana [Mr. ELLENDER] is in agreement with the proponent of an amendment, then the junior Senator from Nebraska has control over the time of the opposition; but if the distinguished Senator from Louisiana opposes the amendment, the Senator from Louisiana has control of the time. I thought that ought to be made plain, because Senators are asking me for time in which to speak. With respect to the particular amendment now under consideration I

understand the distinguished Senator from Louisiana will be in control of the opposition time.

The PRESIDING OFFICER. The distinguished Senator from Nebraska is correct in his understanding.

Mr. DOUGLAS. Mr. President, the present situation concerning penalties for illegal immigration is approximately as follows: First, the importation and concealment of aliens illegally brought into the country is already made a crime—Eighth United States Code, section 144—but the present law fails to fix a penalty for concealment. The penalty is instead only fixed for importation.

The McCarran bill, S. 716, which is now before the Committee on the Judiciary, fixes a penalty for both, that is, a penalty both for importation and for concealment.

The Ellender bill, S. 1391, introduced by the eminent chairman of the Committee on Agriculture and Forestry, adds a penalty for the employment as well as for the importation and concealment of illegal immigrants.

The amendment which I have offered is substantially the bill already offered by the eminent Senator from Louisiana, but with a reduction in the severity of the penalty, to either a fine of \$2,000 or 1 year's imprisonment, instead of 5 years, or both. This amendment, very frankly, is virtually identical, therefore, with the separate bill already proposed by the Senator from Louisiana.

Mr. President, the report of the President's Committee on Migratory Labor and the articles in the New York Times by Mr. Gladwin Hill have shown pretty clearly that we are dealing with a very large problem. The committee and Mr. Hill state that each year there are probably from 500,000 to 1,000,000 Mexicans who illegally enter this country.

It is interesting that during the last year no less than 500,000 who illegally entered this country were turned back and sent back into Mexico by our immigration authorities. No one knows how many more, after they had crossed the Rio Grande or came across the desert, were able to remain here for a long period of time. There are probably hundreds of thousands now in the country who have illegally entered.

This results in a displacement of American citizens who are not able to get jobs which they otherwise would be able to get, and it worsens the condition of American farm laborers by the cheap labor competition with the so-called wetbacks. For instance, I am informed that in the lower Rio Grande Valley the average hourly rate for the wetbacks is somewhere around 25 cents an hour, or half the rate normally paid to domestic farm labor. The difference in wages is, I believe, less in Arizona and New Mexico, but in the Imperial Valley of California the wetback laborers also receive appreciably less than the domestic labor.

These large numbers of Mexicans who come across the border illegally and without protection, create poor health and housing conditions in the agricultural labor camps in the Southwestern States, and serious community conditions have resulted.

The wetback labor is used for so-called "stoop" labor, for the picking of cotton and garden vegetables, where bending and handwork is required, and where there is a natural desire to keep farm labor costs down.

Unless we put some real teeth into our attempt to prevent the illegal entry of wetbacks we shall find, I believe, that the very excellent provisions which the Committee on Agriculture and Forestry has provided for handling the traffic legally will be largely noneffective. Without some penalties I fear that efforts to halt the influx of wetbacks will fail.

I am informed that the number of immigrants who come into this country legally from Mexico can be reckoned in the tens of thousands, but that the entrants who come in here illegally can be reckoned in the hundreds of thousands each year. Therefore we need to put teeth into the measure before us.

The question then arises as to whether we should do this in an amendment to the bill now under consideration or in a separate bill. I now see the eminent chairman of the Committee on Agriculture and Forestry on the floor. I want to repeat to him, therefore, what I have previously said to the body as a whole, namely, that my amendment is nothing but the Ellender bill, S. 1391, with the penalties slightly modified. The question then is whether the penalties should be inserted in the bill before us rather than be dealt with as a separate measure and left to the Committee on the Judiciary.

If this problem is worth attacking at all, it is worth attacking now. And instead of postponing action until later when we get out a general immigration bill, possibly at the end of the farm season, with hundreds of thousands of Mexicans illegally brought across the border in the meantime, it would seem to me to be highly desirable that we should tackle this issue now before the farm season is too far advanced.

Therefore, Mr. President, I believe that this amendment is really the heart of the effort to curb the illegal importation of wetbacks. It fixes a penalty not too severe in amount—either a fine or imprisonment, or both—for those who illegally import labor, who conceal, or who either knowingly hire, or if they ignorantly hire do not try to find out whether or not the importation of the labor is illegal.

I hope very much that the chairman of the Committee on Agriculture and Forestry will be willing to accept the amendment because, very frankly, it is his idea. I withdrew my amendment lettered "A," which was not as good as his amendment. I hope that he will not disown his own child here on the floor of the Senate on the ground that it has been given birth to prematurely. So I wait with great pleasure the response of the distinguished senior Senator from Louisiana, who, I think, is going to father his own child.

I feel embarrassed, Mr. President, at trying to pretend that I am the father of this child, because I am not. The child has been begotten, conceived, and

brought forth, by the senior Senator from Louisiana, and I am now sure that he is going to own his child, and step proudly forward to claim his right of legal paternity. We need penalties to halt the employment of wetbacks, and I hope the Senator will support this, which is really his own amendment.

Mr. ELLENDER. Mr. President, I thank my distinguished friend from Illinois for the compliment paid me. I desire to say that the bill to which he referred, Senate bill 1391, was introduced by me on April 26. I believe that by the enactment of such a law we will go far toward eliminating the wetback problem which is now so vexing to our Government and to the Mexican Government.

I am not personally opposing the amendment. As the distinguished Senator from Illinois has stated, the amendment follows verbatim the bill I introduced some time ago, with the exception of the penalty clause. The reason we did not incorporate the amendment in the bill was because of lack of jurisdiction in the Committee on Agriculture and Forestry, and the fact that the Committee on the Judiciary was considering in an omnibus bill practically the same language which is incorporated in the pending amendment.

Mr. President, I had occasion to talk to my good friend the Senator from Nevada [Mr. McCARRAN], the chairman of the Judiciary Committee; and he gave me assurance that his committee would at an early date consider my bill, which, as I have said, is practically identical to the pending amendment. I am very hopeful that the Judiciary Committee will hold hearings on the bill and will report it separately from the omnibus bill.

I have made a study of the wetback problem; I spent considerable time in preparing my bill which, as I have said, is almost identical to the pending amendment of the distinguished Senator from Illinois [Mr. DOUGLAS]. So far as I am concerned, I have no objection to the amendment; but I feel that I should call the Senate's attention to the fact that our committee has made no study of this important amendment, and that it is a matter which probably should be studied by the Judiciary Committee.

Having brought those points to the attention of the Senate, I leave the question to the Senate to decide.

Mr. WHERRY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MONROE in the chair). Does the Senator from Louisiana yield to the Senator from Nebraska?

Mr. ELLENDER. I yield.

Mr. WHERRY. Is the Senator from Louisiana going to support this amendment?

Mr. ELLENDER. I shall, but not on behalf of the committee. As I have said, I wish to make it perfectly clear that our committee held no hearings at all in regard to the amendment; and further, that I have the assurance of the Senator from Nevada [Mr. McCARRAN] that the question will be considered soon by his committee, the Committee on the Judiciary. I feel that I should bring

these matters to the attention of the Senate; and then the Senators could use their own judgment and discretion in deciding whether to vote for or against the amendment.

Mr. WHERRY. Mr. President, will the Senator yield further?

Mr. ELLENDER. I yield.

Mr. WHERRY. Last week, when the provisions dealing with the so-called wetbacks were under discussion, I was interested in providing penalties, as no doubt the Senator will recall.

Mr. ELLENDER. Yes; I recall that very well.

Mr. WHERRY. I then understood the Senator from Louisiana to say that that was not the proper time to take up that question, but that the Judiciary Committee should examine it.

Mr. ELLENDER. Yes; and I say that now.

Mr. WHERRY. I also understood the Senator from Louisiana to say at that time that in his opinion the adoption of such an amendment might jeopardize the passage of the bill in the House of Representatives, and that therefore he felt it should not be offered now.

Mr. ELLENDER. That is correct.

Mr. WHERRY. Mr. President, I believe there is much merit in penalty legislation. However, the Senator from Louisiana left me under the impression that the proper thing for us to do now is to pass this bill without such an amendment, and later take up the question of penalties, as affecting immigration, in connection with a bill on that subject which will be reported by the Judiciary Committee.

I am sure the Senator from Louisiana will recall that he said to me that the adoption of the amendment might jeopardize the passage of the bill in the House of Representatives. Is not that what the Senator from Louisiana said to me?

Mr. ELLENDER. That is correct. It may be true.

Mr. WHERRY. I do not know whether adoption of the amendment would actually jeopardize the passage of this bill in the House of Representatives; but certainly it seems to me that it is because of the assurance of the Senator from Louisiana that the wetback problem should be handled separately, in connection with a measure to be reported by the Judiciary Committee, that the wetback problem is not now being handled by the Senate in connection with the pending bill; and I understood the Senator from Louisiana to advise his colleagues not to include such a provision in the farm-labor bill, but to include it later in another measure.

Mr. ELLENDER. As I have just stated, Mr. President, I personally shall not oppose the amendment, because it is almost identical to a bill I have introduced.

I am of the belief now, as I was when I introduced my bill on April 26, that such a provision will go far toward solving the wetback problem. I think there is no question about that.

Mr. DOUGLAS. Mr. President, will the Senator from Louisiana yield to me for a question?

Mr. ELLENDER. I yield for a question.

Mr. DOUGLAS. Will the eminent Senator from Louisiana inform me whether I was correct in my understanding that he drew a distinction between his opinions as chairman of the Committee on Agriculture and Forestry and his opinions as an individual Member of the Senate? I understood the Senator from Louisiana to say that as chairman of the committee he does not favor the amendment, but that statement seemed to me to indicate that possibly as an individual the Senator from Louisiana is in favor of applying penalties to something which already is illegal.

Mr. ELLENDER. Certainly I do not wish, as chairman of the committee, to bind any member of the committee in connection with his vote on this amendment; I would not attempt to influence any Senator's vote either for or against the amendment.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. ANDERSON. Is it not a fact that the chairman of the committee feels as he does because this matter involves a question of jurisdiction as between two committees?

Mr. ELLENDER. That is entirely correct.

Mr. ANDERSON. In other words, I understand that the position of the Senator from Louisiana is that his committee, the Committee on Agriculture and Forestry, does not wish to act on a matter which the Committee on the Judiciary should study, and that therefore the Committee on Agriculture and Forestry had steered away from this matter because, as I understood the Senator from Louisiana to say, the Judiciary Committee has jurisdiction over immigration matters.

Mr. ELLENDER. Yes, I wanted to make that very plain to the Senate.

Mr. ANDERSON. Let me say that if a bill on this subject comes before the Senate from the Judiciary Committee, I intend to vote for it. I think I would just as soon vote for the pending amendment; but if I did so, I would feel that perhaps I had done the Judiciary Committee an injustice, if I voted in favor of including in an agricultural bill a provision which would amend the Immigration Act.

Mr. WHERRY. Mr. President, will the Senator yield? I wish to propound a parliamentary inquiry?

Mr. ELLENDER. Certainly.

The PRESIDING OFFICER. The Senator from Nebraska will state his parliamentary inquiry.

Mr. WHERRY. If the Senator from Louisiana favors the pending amendment, should not a Senator who opposes the amendment control the time in opposition to it, so as then to be able to yield time to other Senators who wish to oppose it?

Mr. ELLENDER. Mr. President, I am in a rather peculiar position, because as chairman of the committee I cannot accept the amendment.

Mr. WHERRY. However, the Senator from Louisiana is going to vote for the amendment; is he not?

Mr. ELLENDER. Yes, because it is practically identical to my own bill.

Mr. WHERRY. Mr. President, I raise the point of order that all time to be allowed the Senators opposing the amendment has been allotted to the Senator from Louisiana, who favors the amendment.

Mr. ELLENDER. Of course, I wish to abide by the rules.

Mr. THYE. Mr. President—

The PRESIDING OFFICER. The Chair would like to inquire of the senior Senator from Louisiana [Mr. ELLENDER] whether he is for or against the amendment of the Senator from Illinois.

Mr. THYE. Mr. President, will the Senator yield?

Mr. WHERRY. Wait. Let the Senator answer.

The PRESIDING OFFICER. The Senator from Louisiana has 12 minutes remaining which, under the order previously entered, he controls in the event he does not favor the amendments.

Mr. ELLENDER. The opposition may control the time so far as I am concerned.

The PRESIDING OFFICER. The Senator from Nebraska will have charge of the remaining time.

Mr. WHERRY. Mr. President, does the Senator from Minnesota desire any opposition time?

Mr. THYE. Mr. President, I do not wish any opposition time. I wanted to make a comment, and to give my reasons for saying that the Senator from Louisiana, the chairman of the Committee on Agriculture and Forestry, could not in good grace, and in consideration of the Judiciary Committee, accept this amendment.

Mr. WHERRY. Mr. President, I should be glad to yield to the Senator but I should like to ask the Senator to withhold his request until I see whether there is any one other Senator who desires opposition time on the amendment. We have but 12 minutes left. Does any Senator desire to speak in opposition to this amendment?

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MCCARTHY. Mr. President, I should like to obtain some of the opposition time, myself.

Mr. THYE. Mr. President, I think the opposition should try to clarify the point as to whether the Committee on Agriculture and Forestry acted favorably on the proposed amendment.

Mr. WHERRY. Mr. President, is the Senator from Minnesota against the amendment?

Mr. THYE. The Senator from Nebraska is now becoming technical.

Mr. WHERRY. It is necessary for me to know that, before I can yield any time. If the Senator from Minnesota is for the amendment, why does he not ask the distinguished Senator from Illinois to yield time? I would love to accommodate the Senator from Minnesota.

Mr. THYE. Mr. President, the minority leader has wasted more time than

I would have taken, had he yielded to me.

Mr. WHERRY. Under the circumstances, I am unable to yield.

Mr. HOLLAND rose.

Mr. WHERRY. Is the Senator from Florida in opposition?

Mr. HOLLAND. No.

Mr. HUMPHREY. I suggest that the Senate proceed to a vote.

Mr. WHERRY. If there is no other Senator who wishes to speak, I shall yield to the Senator from Minnesota.

Mr. DOUGLAS. Mr. President, I shall be glad to yield 5 minutes to the junior Senator from Oregon.

Mr. MORSE. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield 5 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, I may say to the Senator from Illinois that I hesitate somewhat to make the comment I am about to make, because I do not in any way want to jeopardize his amendment. I intend to vote for his amendment, but I think it is most appropriate, while we are considering his amendment, to call the attention of the Senate to the fact that the junior Senator from Oregon has on the desk an amendment identified as amendment C, most of the language of which was also taken from the bill already introduced in the Senate on April 17 by the distinguished Senator from Louisiana [Mr. ELLENDER], Senate bill 1391. There is, however, a difference which I think is rather important between the amendment of the Senator from Illinois and that of the Senator from Oregon. The amendment of the Senator from Illinois includes penalties. Although I am going to vote for his amendment, I recognize that it involves some question as to possible jurisdiction of the Judiciary Committee. But I see no basis for any question of jurisdiction of the Judiciary Committee in respect to the amendment of the junior Senator from Oregon, because all my amendment seeks to do is to provide that no benefits of this act shall accrue to any prospective employer who is employing an alien and who has reasonable grounds to know that he is an alien. I read the language of the amendment. It proposes on page 5, line 5, after the word "employment" to insert the following: "Provided, That no workers shall be made available under this title to, nor shall any workers made available under this title be permitted to remain in the employ of, any employer who has in his employ any alien, when such employer knows or has reasonable grounds to believe or so suspect or by reasonable inquiry could have ascertained that such alien is not lawfully within the United States."

There is no penalty against an employer, nor is he characterized as being guilty of any crime. The amendment provides simply an inhibition or an injunction against an employer so that he cannot get any employees under this bill if he has on his payroll aliens who have come into the United States illegally.

Certainly we ought to pass a bill which provides for such administrative discretion on the part of the administrators. We certainly have a right to take a course of action which will not encourage farmers, if they already have wetbacks in their employ, to try to get Mexican labor in addition to the wetbacks.

I may say to my good friend from Louisiana the fact is that some of us in the Senate, particularly in view of the defeat of the amendment of my senior colleague [Mr. CORDON], fear that what we have here, for the most part, is a bill which is going to accrue principally to the benefit of employers along the tier of States in the southern area of the United States, and which, therefore, discriminates against those in other sections as my senior colleague pointed out in his argument in support of his amendment.

I think that if we are to be expected to go along with this bill, we at least ought to have some assurance that the bill contains some provision which will prevent the employment of migrant alien labor by employers who are already hiring aliens who are illegally in the United States. I think it is the least we could do.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MORSE. I may say to my friend from Illinois, I shall vote for his amendment, but if his amendment fails, I serve notice now that I shall oppose the entire bill, because I simply cannot see any basis of objection either to his amendment or to my amendment.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired. Does the Senator from Nebraska wish to yield further?

Mr. WHERRY. I will yield some time to the distinguished Senator from Minnesota. No one has requested any opposition time. How much time does the Senator want?

Mr. THYE. I think 2 minutes will be sufficient.

Mr. WHERRY. I yield 3 or 4 minutes to the Senator from Minnesota.

Mr. THYE. Mr. President, speaking now as a member of the Senate Committee on Agriculture and Forestry, at the time I asked to be recognized, the question I wanted to discuss and to endeavor to clarify was that none of us in the committee would have objected to this type of provision in the bill, except that we recognized it was an amendment to the Immigration Act, and therefore it should rightly come under the jurisdiction of the Judiciary Committee, and to be considered by it. It was for that reason that, in the consideration by the Committee on Agriculture and Forestry of the bill, and particularly its drafting of it, this particular question was not included as a part of the bill.

None of us have the feeling that wetbacks should be admitted, and certainly no one should be benefited by employing along the border of aliens or wetbacks, as they are called. So I say to the distinguished Senator from Illinois that while his amendment is in proper form, if we could have the Judiciary Committee give us assurance that it would not

demand that the bill be rereferred to their committee because of the amendment, the committee could then take the necessary time to study this subject before this type of bill were enacted by the Senate and House.

This is the seventh day of May, and we should try to clarify this question by having the bill passed as soon as possible in order that the employer who seeks the type of labor whom he would be allowed to employ under this measure may be given such assurance as to enable him to plan on offshore labor to meet his labor needs as he proceeds with the cultivation of his crops and their harvesting, which will come within a very few weeks.

I may say that as a member of the Senate Committee on Agriculture and Forestry, I have no objection to the amendment, but I think the amendment is offered to the wrong bill. I think it ought to be proposed as an amendment to the Immigration Act, rather than as an amendment to the agriculture bill.

Mr. ANDERSON rose.

Mr. THYE. Mr. President, if the Senator from Nebraska will yield to me time for the purpose of yielding, I shall be glad to yield to the Senator from New Mexico.

Mr. WHERRY. I shall be glad to yield additional time; but I wanted to ask a question. Is the penalty provided for in the amendment offered by the Senator from Illinois the same penalty suggested by the distinguished Senator from Louisiana?

Mr. ELLENDER. No; it is not. The bill which I introduced makes the penalty fine and imprisonment. The amendment makes it fine or imprisonment.

Mr. WHERRY. Then the Senator's penalty is a stiffer penalty?

Mr. ELLENDER. Yes.

Mr. WHERRY. Mr. President, I yield another 2 minutes, or more if necessary, to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, I am wondering how the Senator from Minnesota would feel if we should adopt the amendment offered by the Senator from Oregon [Mr. MORSE] and add to it the penalty provisions suggested by the Senator from Illinois [Mr. DOUGLAS]. It would go to line 17 on page 2 and provide that "any employer who shall fail to report such information," and so forth, the language to be added as additional language to the Moore amendment. I believe the conferees could then work it out.

Recognizing that the distinguished chairman of the Committee on Agriculture and Forestry wants to work it out, I think the Senate might safely leave it in that situation. I do not know how to work it out between groups, but if the Senator from Oregon should feel tempted to offer his amendment and add to it the penalty provisions in the amendment of the Senator from Illinois, a great many of us might vote for it as a substitute who otherwise would vote for the amendment offered by the Senator from Illinois, and thus find ourselves in a jurisdictional problem which we do not desire to have to solve.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. THYE. Mr. President, I yield all the time I have remaining to the distinguished majority leader.

Mr. WHERRY. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. WHERRY. I yield a minute to the distinguished Senator from Florida [Mr. HOLLAND], and then I shall yield a minute to the distinguished Senator from Oregon [Mr. MORSE].

Mr. HOLLAND. Mr. President, I am in total agreement with the desire of the Senator from Illinois. I feel, however, that his amendment is too far-reaching in that it would affect the whole field of immigration, and it has not been studied by the appropriate committee. I am endeavoring, therefore, with the collaboration and understanding of the Senator from Illinois, who is very helpful as we work toward our objective, to modify his proposed amendment so as to confine it to alien persons coming in under the law and persons employing or harboring such alien persons. I believe that with very few changes in wording this modification can be effected, and, unless there be objection, we shall continue in our effort.

Mr. WHERRY. Mr. President, whatever time is remaining I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I am rather embarrassed to make a suggestion that would interfere with the floor strategy of the Senator from Illinois. I was going to let his amendment come to a vote, and then I was going to offer my amendment. As I look at the situation, I think we could get an amendment which would deal with any employer who is guilty of knowingly hiring wetbacks, without getting into the field of penalties at all. We would simply stop the operation of the bill as to him, leaving to the Judiciary Committee, from a study of the criminal laws, whatever penalty they may wish to impose. That is my present thinking. I shall await action on the amendment of the Senator from Illinois, and I shall vote for it. If it is not agreed to, I shall offer my amendment.

Mr. DOUGLAS. Mr. President, with the very valuable help of the senior Senator from Florida we may have a solution of this difficulty, first, to confine to the agricultural-labor bill the amendment which I have proposed, and not have it extend to the general immigration laws; and, second, by some changes in wording which we have written out and which are not yet in perfect form. It is not intended to be any invasion of the jurisdiction of the Judiciary Committee, but merely an intent to implement the farm-labor bill itself. I have taken the wording of the Senator from Florida, which is satisfactory. If the clerk can read these amendments I shall send them to the desk.

Mr. ANDERSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ANDERSON. I am wondering if it would be within the terms of the unanimous-consent agreement if further

unanimous consent were asked to pass over this amendment for 10 or 15 minutes so that it might be considered later and in the meantime we could proceed with something else.

The PRESIDING OFFICER. Unanimous-consent requests are always in order.

Mr. ANDERSON. Then I ask unanimous consent that the amendment be laid aside for 15 minutes so that the Senators interested in the amendment may get it into the best possible form.

Mr. WHERRY. Reserving the right to object—and I shall not object—how much time remains?

The PRESIDING OFFICER. There are 7 minutes remaining.

Mr. ANDERSON. I did not mean to disturb the time arrangement in any way.

Mr. WHERRY. If the request is agreed to we would still have at least 5 minutes' time left?

The PRESIDING OFFICER. That is correct.

Mr. WHERRY. I might want to grant at least 5 minutes time to any opponents.

The PRESIDING OFFICER. In order to yield 5 minutes additional time of what is remaining, additional request must be made.

Mr. WHERRY. I do not know that any Senator will want the time. I do not know that any Senator wants to oppose the suggested amendment. I think that perhaps there will not be. I only ask that the request be so modified.

Mr. ANDERSON. Mr. President, may I so modify my request, that at the end of the period, when we again take up the question, the distinguished majority leader may have 5 minutes and the Senator from Illinois may have 5 minutes?

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, in the time we have for the purpose of refining the amendment of the Senator from Illinois the Senate might be able to take up my amendment, being amendment lettered A, dated April 26, 1951.

The PRESIDING OFFICER. The clerk will state the amendment of the Senator from Minnesota.

The CHIEF CLERK. It is proposed, on page 3, line 23, to strike out the word "and";

On page 4, line 9, to strike out the period and insert in lieu thereof a semicolon and the word "and";

On page 4, between lines 9 and 10, to insert the following:

(4) to permit reasonable entry and inspection of the places of employment of such workers by officers of the Immigration and Naturalization Service for the purpose of enabling such officers to ascertain whether any of the workers employed by such employer are illegally in the United States.

Mr. HUMPHREY. Mr. President, directing my remarks to the purpose and the intention of this amendment, which is within the context, the philosophy, and the purpose of the amendment of the Senator from Illinois, and also of the proposed or suggested amendment of the Senator from Oregon [Mr. Morse], these three amendments—the Douglas amend-

ment, the Morse amendment, and the one which I am offering—are all directed toward tightening the law with respect to wetbacks. These amendments are stated in the sequence of their effectiveness, namely, the Douglas amendment, with its more stringent provisions, is what I believe to be the heart and core of the corrective legislation. The Morse amendment is within the confines of the employment and recruitment service of agricultural labor and would furnish remedial action where there has been any employment of laborers who have illegally entered or who illegally remain in the United States.

My amendment is designed simply to permit the officers of the Immigration and Naturalization Service to be able to go into the places of employment where wetbacks may possibly be employed. In other words, the amendment would permit officers of the United States Government who are charged under the immigration laws with the enforcement of those laws not only to investigate at the recruitment centers, at the placement centers, but to go into a large field of operation and to make any necessary checks in the employment areas. I believe, Mr. President, it would be helpful.

I am not saying that it is the answer to the wetback problem. I think it is only fair to say that there has been some cooperation from those of us who desire to tighten up the bill, which represents the heart and core of the migratory problem as it affects Mexican workers. This is the most difficult aspect of the proposed legislation. So I make my position clear. I shall vote for the Douglas amendment. If the Douglas amendment shall be defeated, I shall vote for the Morse amendment. My reason is that both amendments are directed to the particular objective of controlling wetbacks.

I also ask my colleagues to support my amendment, because it is a fundamental part of the administrative enforcement of existing legislation as it pertains to the control of wetbacks.

Nothing more need be said about the subject except that the problem has been given the attention of the President's Commission on Migratory Labor. In that connection I read the first recommendation of the Commission, as set forth at page 88 of the report:

We recommend that—

(1) The Immigration and Naturalization Service be strengthened by (a) clear statutory authority to enter places of employment to determine if illegal aliens are employed.

Mr. President, the purpose of my amendment is to augment and to put into effect the first recommendation in chapter IV of the President's Commission on Migratory Labor. The Douglas amendment follows through on the second recommendation.

I do not know the attitude of the chairman of the committee about the amendment. May I inquire, at this time, how he feels about it?

Mr. ELLENDER. I shall be opposed to it.

Mr. HUMPHREY. Mr. President, in that case I shall save some of my time to use after the chairman of the committee

has made his persuasive argument. I yield the floor at this time, hoping to get the response of the chairman of the Committee on Agriculture and Forestry.

THE PRESIDENT'S BIRTHDAY ANNIVERSARY

Mr. BENTON. Mr. President, will the Senator yield 5 or 6 minutes to me?

Mr. HUMPHREY. May I inquire of the Chair how much time I have remaining?

The PRESIDING OFFICER. The Senator from Minnesota has 15 minutes remaining.

Mr. HUMPHREY. I am delighted to yield up to 8 minutes to the Senator from Connecticut.

Mr. BENTON. Mr. President, tomorrow, May 8, will be President Truman's birthday. It is also, by coincidence, the sixth anniversary of the President's proclamation—less than a month after he had assumed his present high office—announcing the unconditional surrender of Germany.

During the 6 years since Germany surrendered, the President of the United States has had to make many fateful decisions. These have included the decision to use the atomic bomb, which was a decision aimed at shortening the war against Japan; and the proclamation of the Truman doctrine, which, with the support it received in Congress, served to protect the independence of Greece and Turkey and to help check the sweep of communism to the Mediterranean.

The President has proposed and courageously fought for such far-sighted measures as the Marshall plan and the Atlantic Pact, which have received the overwhelming support of the people of the country. Had it not been for his vision, courage, and leadership in initiating such necessary steps, we could now be isolated in a Communist-dominated world, if not, indeed, engaged in a war—yes, Mr. President—with the odds against us.

During the 6 years, because he has had the courage to fight for what he believes to be right, President Truman has been subjected to almost unparalleled abuse, both political and personal. Two abusive pieces have appeared in magazines of national circulation within the past few weeks. I am glad today to invite the attention of Senators to a magazine article of a different sort. It is the story of Harry Truman and his father, which was told for the first time in the March issue of Parents' magazine. The article was written by Bela Kor-nitzer, author, historian, and former member of the Hungarian cabinet, who escaped from his country when the Nazis invaded it, and is now living in the United States.

President Truman granted Mr. Kornitzer an interview about his father, and members of the President's family also cooperated in providing material. The President later corrected the manuscript in his own hand, and a copy of the manuscript, with his revisions, has been presented to the Library of Congress.

feet deep. John had the foresight to develop it.

"I recall the very first day John came to see me to talk about an automatic railroad switch he had invented. At that time all railroad switches were thrown by hand. John wanted advice. The Missouri Pacific had offered him \$2,000 a year in royalties for it. That was on the basis of \$1 a switch, and they wanted 2,000 of them.

"The Chicago & Alton line, in competition, offered him \$3,500. This was John's big deal, though, and he set a price—\$2 a switch, on the basis of 2,500 a year. That meant \$5,000 a year. But the best offer he could get was still for only half of that.

"In the long run both lines rejected his price. Later the Missouri Pacific used an improved version of the invention and John, under the patent law, was unable to establish further claim to it."

Olney Burrus, an old man, shook his head. "I suppose there's a moral for you. Maybe you'd say that if Harry S. Truman is stubborn, he gets it from his father."

Henry Rummell, the harness maker, touched me on the arm.

"Something you ought to know," he said. "I'm a Republican. Been one all my life. And I'm the only man who ever defeated Harry Truman at the polls. Back in 1924. He was running for reelection as county judge, and I licked him. But Harry wasn't put out. Next day in front of the courthouse, he came up to me, shook hands, and said, 'Henry, no hard feelings. It was a fair fight.'"

Mayor Serman said, "When I was 7 years old, I had measles, and I was quarantined. But John Truman, I remember, dropped in, paying no attention to the yellow sign, and brought me some candy to cheer me up. I was in bed in a dark room with the blinds drawn, and he said to me jokingly, 'You're going to get better, Roger, and you're going to grow up and be mayor some day.'"

In Washington, at the White House, President Truman was reminiscing. "Yes," he said, "it was all interesting—these stories about his father." Some he had not heard himself. For example, the yarn about John Truman's invention of a railroad switch. He never had known about that. But, in the main, it was true that his father was essentially a man of the soil, who believed in the virtues and decencies of life, and delighted in the love of his family. He could still remember his father's voice, raised clear and strong, in Christmas carols. Then there was the time his father gave him a Shetland pony—a beautiful animal—and he had gotten on it, and no sooner was he on it, than the pony reared and he was thrown. His father was really disappointed in him then. John Truman had been an excellent horseman. He rode a horse as though he were a part of it.

Mr. Truman rose, walked slowly to the side of his desk and stood there, knuckles pressed against the desk top, and went on to say that those were really hard days. He remembered sitting in a saddle all night, riding alongside his father as they took a herd of cattle from Independence to the Kansas City stockyards for shipment. His father worked hard. What was it they had said of him in that old history of Jackson County, Mo.? "John A. Truman resides with his father and manages the farm; he is an industrious and energetic young man and one who bids fair to make a success in life." Industrious and energetic. That was true. His father was diligent, he worked hard, he had his ups and downs. And, with it all, I could see the President was deeply moved as he added that his father was the happiest man he ever knew.

Mr. BENTON. Mr. President, in my Jackson Day dinner speech at New

Haven I said that historians would do justice to President Truman even if present-day newspapers do not. In my 18 months in the Senate I am proud to attest to the high courage and intellectual quality of his major decisions and policies. He had the courage to fight for the big steps forward in the field of our foreign policy, just as he now has the courage to recall General MacArthur. I remember several so-called tough votes which I cast in support of his policies in the space of a few weeks last summer, when I was a candidate for office.

President Truman had the courage to stand up and veto a bill giving free and perpetual medical service to Spanish-American War veterans, and only three of us in the Senate supported him. He stood firm against the Spanish loan, as originally presented. He resisted the pressures of postal clerks, when they sought special privileges and bonuses not granted to other veteran postal and Federal workers.

The decision in these cases, which were not supported by too many Members of the Senate who were candidates for office last November, typify the President's courage and character. Of all men, we in the Senate should appreciate and value the qualities which won him election to the United States Senate, to the Vice Presidency, and, finally, to the Presidency. I am proud in my small way to do him honor on the eve of his sixty-seventh birthday.

CONDUCT OF HEARINGS BEFORE ARMED SERVICES AND FOREIGN RELATIONS COMMITTEES

Mr. LONG. Mr. President, will my colleague [Mr. ELLENDER] yield to me for a moment?

Mr. HUMPHREY. Mr. President, I have a few minutes left. I am delighted to yield to my friend, the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. HUMPHREY. How much time does the Senator from Louisiana wish?

Mr. LONG. One minute.

Mr. HUMPHREY. I yield 2 minutes to the Senator from Louisiana.

Mr. LONG. Mr. President, as one of the members of the Senate Committee on Armed Services who have supported the chairman, the distinguished junior Senator from Georgia [Mr. RUSSELL], in insisting that the hearings on the MacArthur affair be in closed session, releasing all possible information to the public, I was pleased to see that several of the newspapers have realized the importance of keeping the vital secrets of the Nation from falling into the hands of the enemy.

Again today, with the testimony of General Marshall, we saw the most compelling reasons why the hearings must be behind closed doors. I will say for our chairman that he has made every effort to see that every bit of information that could safely be released to the American people was released, so that they might have as much understanding as possible of this issue.

I was pleased to see in the Washington Post of today a very admirable editorial giving what I believe to be due credit to the chairman of the committee for the manner in which he has conducted the hearings up to this time. I ask unanimous consent that the editorial be printed in the body of the Record at this point as a part of my remarks.

The PRESIDING OFFICER. Is there objection?

Mr. HILL. Mr. President, reserving the right to object—and I shall not object—the Senator from Louisiana has fully expressed my sentiments on this question. It so happens that earlier in the day I placed in the Record the editorial to which he refers.

Mr. LONG. That being the case, I shall not ask that it be printed in the Record. I withdraw my request.

Mr. HILL. Of course, the remarks of the Senator from Louisiana will appear in the Record.

Mr. LONG. Yes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Snader, its assistant reading clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 136) allowing the consumer of gasoline to deduct, for income-tax purposes, State taxes on gasoline imposed on the wholesaler and passed on to the consumer.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 321. An act to provide that on and after January 1, 1952, dividends on national service life insurance shall be applied in payment of premiums unless the insured has requested payment of dividends in cash;

H. R. 576. An act for the relief of Fred E. Weber;

H. R. 591. An act for the relief of B. J. Scheuerman, Daniel Fuller, W. Hardesty, and John M. Ward;

H. R. 594. An act for the relief of Japhet K. Anvil and Howard A. Monroe;

H. R. 622. An act for the relief of Mrs. Oksana Stepanovna Kasenkina;

H. R. 632. An act for the relief of Janina Wojcicka, Wojciech Andrzej Wojcicki, and Stanislaw Wojcicki;

H. R. 664. An act for the relief of Mrs. Coral E. Alldritt;

H. R. 667. An act for the relief of Hildegard Dettling and Judith Ingeborg Dettling;

H. R. 714. An act for the relief of James A. G. Martindale;

H. R. 781. An act for the relief of Frederick Edmond Tomkins, Mary Ann Tomkins, and Edward Marshall Tomkins;

H. R. 789. An act for the relief of John Yan Chi Gee;

H. R. 859. An act for admission to the United States of Mrs. Margot Kazerski;

H. R. 887. An act for the relief of First Lieutenant Walter S. Moe, Jr.;

H. R. 889. An act for the relief of Lena Valsamis and Lucy Balosa Valsamis;

H. R. 890. An act for the relief of Athina Mary Onassis;

H. R. 891. An act for the relief of Mary Valsamis Dendramis and Vassili G. Dendramis;

H. R. 898. An act for the relief of Gunter Arno Thelemann;

H. R. 1101. An act for the relief of Mrs. Sadako Kawamura Lawton;
 H. R. 1111. An act for the relief of Taro Takara;
 H. R. 1121. An act for the relief of Chin Yok Kong;
 H. R. 1117. An act for the relief of Kimiko Shibuya;
 H. R. 1141. An act for the relief of Saint Patrick Hospital and The Western Montana Clinic;
 H. R. 1150. An act for the relief of Mario Pucci, Giacomo Favetti, Giuseppe Omati, Vincenzo Andreani, Lambruno Sarzanini, and Alessandro Costa;
 H. R. 1164. An act for the relief of Pietro Giannettino;
 H. R. 1263. An act for the relief of Dr. Chia Len Liu;
 H. R. 1264. An act for the relief of Jacquelyn Shelton;
 H. R. 1421. An act for the relief of Dr. Fernand Van Den Branden;
 H. R. 1422. An act for the relief of Carl Parks;
 H. R. 1438. An act for the relief of Mrs. Ingeborg Ruth Sattler McLaughlin;
 H. R. 1451. An act for the relief of Charles R. Keicher;
 H. R. 1475. An act for the relief of Elena Erbez;
 H. R. 1798. An act for the relief of the estate of Yoshio Fukunaga, deceased;
 H. R. 2068. An act for the relief of Sook Kat;
 H. R. 2175. An act for the relief of Addie Dean Garner Scott;
 H. R. 2304. An act for the relief of Bernard F. Elmers;
 H. R. 2357. An act for the relief of Lucia Adamos;
 H. R. 2450. An act for the relief of Concetta Santagati Giordano;
 H. R. 2654. An act to amend section 10 of Public Law 378, Eighty-first Congress;
 H. R. 2714. An act for the relief of Marcelle Lecomte;
 H. R. 3196. An act to amend section 153 (b) of the Internal Revenue Code;
 H. R. 3291. An act to amend subdivision a of section 34 of the Bankruptcy Act, as amended; and
 H. R. 3292. An act to amend subdivision a of section 55 of the Bankruptcy Act, as amended.

SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO

The Senate resumed the consideration of the bill (S. 984) to amend the Agricultural Act of 1949.

The PRESIDING OFFICER. The Chair announces that the 15 minutes allowed by unanimous consent to give the Senator from Illinois [Mr. DOUGLAS] and the Senator from New Mexico [Mr. ANDERSON] an opportunity to reframe their amendment have now elapsed. Pursuant to the unanimous-consent agreement, the Senator from Illinois [Mr. DOUGLAS] has the floor.

Mr. BREWSTER. Mr. President, will the Senator from Illinois yield for a question?

Mr. DOUGLAS. Yes, indeed.

Mr. BREWSTER. Do I correctly understand that the Senator from Illinois is retaining the language "by reasonable inquiry"? If so, I wish to ask him to interpret that language. We do not have wetbacks in Maine, but a great many of our friends come over from Canada. They work both in the potato fields and in the woods. What is the meaning of "reasonable inquiry"?

Mr. DOUGLAS. Mr. President, I am not a judge, or the son of a judge, or

the grandson of a judge. These matters would be left primarily to judicial interpretation. The language would mean, however, that an employer would be expected to check up on the legality of entry of the aliens whom he employed, and should not accept them sight unseen without making some effort to determine whether or not their papers are in order.

Mr. BREWSTER. How is he to know that a certain employee is not a native? Would a birth certificate be required? I suppose conditions are different in the South, but up in Maine a great many of us speak the same language. What is the employer supposed to do?

Mr. DOUGLAS. The Immigration and Naturalization Service would be expected to issue cards to those who are legal entrants, and the employer could at least ask to see a man's card. If he did not ask to see the man's card, this would be one circumstance in which he would fail to make "reasonable inquiry."

Mr. BREWSTER. If he is a native, of course, he will not have a card.

Mr. DOUGLAS. I understand that.

Mr. BREWSTER. When a native of Maine goes to Illinois, he has no card to show that he is a native of Maine.

Mr. DOUGLAS. There is supposed to be freedom of migration within the country—and fortunately there is.

This provision, of course, applies only to aliens. It is not intended to establish a registration system for persons who are citizens of the United States. However, those who are legal entrants are supposed to carry with them some document to indicate that they are legal entrants. It would be proper to ask a man whether or not he was an immigrant. If so, he could be asked to show his card.

Mr. BREWSTER. If he says that he is not an immigrant, what is the employer supposed to do? Is he supposed to investigate his birth certificate?

Mr. DOUGLAS. There is certainly no obligation to investigate his birth certificate or to ascertain whether he has paid a poll tax or property tax or whether he is upon any voting roll or not. There is certainly no such obligation. But if all the circumstances of appearance and language and lack of identification card and failure to furnish any evidence of residence give rise to a question as to legality of entry, the employer should make some further inquiry.

Mr. President, I should like to modify my amendment by striking out lines 1 and 2 on page 1; by striking out the figure "8", in line 3; beginning in line 3, after the word "person", striking out all down to and including line 2 on page 2, and inserting in lieu thereof in line 3, page 1, after the word "person", the words "who shall employ"; on page 2, line 3, after the word "any", by inserting the word "Mexican"; by striking the words "including an alien crewman", in line 3, on page 2; in line 7, on page 2, after the word "aliens", by striking out "or any person who shall employ any alien"; and on page 2, line 11, after the word "employed", by inserting the word "such."

Mr. WHERRY. Mr. President, may the clerk read the amendment as pro-

posed to be modified by the distinguished Senator from Illinois?

The PRESIDING OFFICER. The amendment, as modified by the Senator from Illinois, will be read.

The LEGISLATIVE CLERK. At the appropriate place in the bill it is proposed to insert the following:

Sec. —. Any person who shall employ any Mexican alien, not duly admitted by an immigration officer or not lawfully entitled to enter or to reside within the United States under the terms of this Act or any other law relating to the immigration or expulsion of aliens, when such person knows or has reasonable grounds to believe or suspect or by reasonable inquiry could have ascertained that such alien is not lawfully within the United States, or any person who, having employed such an alien without knowing or having reasonable grounds to believe or suspect that such alien is unlawfully within the United States and who could not have obtained such information by reasonable inquiry at the time of giving such employment, shall obtain information during the course of such employment indicating that such alien is not lawfully within the United States and shall fail to report such information promptly to an immigration officer, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$2,000, or by imprisonment for a term not exceeding 1 year, or both, for each alien in respect to whom any violation of this section occurs.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. WHERRY. The modified amendment, in line 3 on page 2, contains the language "any Mexican alien." Therefore the problem of the distinguished Senator from Maine [Mr. BREWSTER] would be taken care of, would it not?

Mr. DOUGLAS. That is correct. We believe that this provision is good enough to apply to any alien; but we are restricting its application solely to Mexican nationals.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. DOUGLAS. I am very glad to yield to the Senator from Florida.

Mr. HOLLAND. Am I correct in my understanding that all that portion of the original amendment proposed by the distinguished Senator which would have extended to other fields of immigration and immigrants than Mexican nationals coming into the United States for agricultural labor purposes has been stricken from the amendment?

Mr. DOUGLAS. The Senator is correct.

Mr. HOLLAND. And it is the purpose of the Senator, in his modified amendment, to restrict the modified amendment wholly to the field covered by the pending measure?

Mr. DOUGLAS. The Senator is correct.

Mr. HOLLAND. However, the penalty is retained in exactly the same words and to exactly the same degree of punishment as was stated in his original amendment.

Mr. DOUGLAS. The Senator is correct.

Mr. HOLLAND. Mr. President, with that understanding I wish to say that I hope very strongly that the Senate will adopt the amendment, as modified.

Mr. BREWSTER. Mr. President, will the Senator yield for a question?

Mr. DOUGLAS. I yield.

Mr. BREWSTER. I think the Senator has solved the problem so far as we who live on the Canadian border are concerned. However, this suggestion is a little reminiscent of our former legislation excluding aliens of certain nationalities. Has the Senator given consideration to that question?

Mr. DOUGLAS. I may say to the Senator from Maine that I should like to have these provisions apply to all illegal entrants of whatever nationality, but when that was proposed it was said it would interfere with the jurisdiction of the Committee on the Judiciary which was framing a general revision of the immigration law. Therefore we have confined the application of this amendment to employment of that type of labor covered in the agricultural labor measure now before us. In other words, it is an attempt to confine the penalty to violations with respect to the type of labor covered in the measure before us, and not to broaden it out to amend the general immigration law.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. WHERRY. Mr. President, I believe I have 5 minutes remaining. I yield 2 minutes to the distinguished Senator from Maine so he may ask questions.

The PRESIDING OFFICER. The Senator from Maine is recognized for 2 minutes.

Mr. BREWSTER. Mr. President, would the Senator from Illinois address himself to the question as to whether or not this in any way suggests a parallel to our exclusion act with respect to Asiatics, which has aroused so much controversy because of discrimination against certain groups. To what extent is it likely to give affront?

Mr. DOUGLAS. I may say to the Senator from Maine that the measure before us provides for no exclusion whatsoever of Mexican labor. It sets up procedures for bringing in Mexican labor under a treaty with Mexico, and then it states that if these procedures are not followed, and if Mexicans are brought into the United States illegally, certain penalties shall be inflicted upon those who knowingly, or with reasonable grounds to believe them illegal entrants, employ this Mexican labor, or who do not endeavor reasonably to inform themselves as to the legality of the entry of these workers.

Mr. BREWSTER. Does not the Senator from Illinois believe the Mexicans would feel that their aliens are being discriminated against in that aliens coming into this country illegally from other countries are free from the penalties provided in this amendment?

Mr. DOUGLAS. I do not think so. I think that would be straining at a gnat. The penalties here imposed will be upon farm operators of this country who breach the terms of this section. Of course, the Committee on the Judiciary has a similar measure under consideration with respect to revision of the general immigration laws, as well as the separate Ellender bill, S. 1391, and that

matter can be dealt with by the Committee on the Judiciary.

Mr. WHERRY. Mr. President, I will now yield 2 minutes to the distinguished Senator from New Mexico [Mr. ANDERSON].

Mr. ANDERSON. Mr. President, I will need only 1 minute. The provision in question cannot be regarded as an exclusion provision, because the Mexican Government has asked for this type of protection; therefore, the Mexican Government should be satisfied.

Mr. President, I should like to say that I hope the chairman of the committee will realize that the term "Mexican alien" is used in the provision. I personally had thought that the term "Mexican national" would be better. If the amendment, as modified, is adopted, I hope that when the bill goes to conference the chairman will keep in mind that we are dealing with persons with respect to whom an attempt is being made to bring them into the United States by the proposed legislation, and that perhaps a change can be made in regard to the use of the word "alien."

Mr. WHERRY. Mr. President, regardless of whether we designate the person to be a Mexican national, a Mexican citizen, or a Mexican subject, one who comes into the United States under the proposed legislation is here as a Mexican alien; and if brought in illegally, the person who brings him in would be subject to the penalty provided in the measure. Is that not correct?

Mr. ANDERSON. I think that is correct, and I am happy to support the amendment.

Mr. WHERRY. If I have any more time under my control, I should be glad to yield it back and have a vote on the amendment, as modified.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from Illinois [Mr. DOUGLAS], as modified.

The amendment, as modified, was agreed to.

The question now recurs to the amendment offered by the Senator from Minnesota [Mr. HUMPHREY], which had previously been under consideration, but action on which, under the unanimous-consent agreement, was deferred so the amendment of the Senator from Illinois, as modified, could be considered. The Senator from Minnesota now has the floor, and has 6 minutes of time remaining.

Mr. HUMPHREY. Mr. President, I shall be glad to yield the floor so the Senator from Louisiana may make any statement in opposition to my amendment he may wish to make.

Mr. ELLENDER. Mr. President, I think we are now going far afield from the wetback problem with which we are trying to deal. I yield to no Member in the Senate in my efforts to try to enact legislation to prevent wetbacks from coming into the United States. I realize we have before us a problem which if not settled soon may strain the cordial relationship which now exists between ourselves and the Mexican Government. The pending question, I believe, is one

that should be dealt with by the Committee on the Judiciary. I entertain the same view with respect to the amendment which was just adopted. But since I was the author of a bill which sought to carry out the same purpose, I was placed in the position where I could not deny my own bill.

Under the law as it now exists, and under the Constitution, an immigration official must obtain a warrant before he can go into a farmer's home to find out whether an alien is harbored there. What is now proposed to be enacted into law would permit entry by an immigration official at almost any time. I believe it would be rather dangerous for us to agree to such an important amendment as this, one which denies the privacy of a man's home, an amendment which would permit an official to enter private premises at almost any time of day in searching for wetbacks or other aliens. I believe, Mr. President, that by adopting the amendment we have just agreed to, we have taken adequate steps toward solving the wetback problem.

Mr. CORDON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MOODY in the chair). Does the Senator from Louisiana yield to the Senator from Oregon?

Mr. ELLENDER. I yield.

Mr. CORDON. The Senator speaks of an official going into someone's home. Is there anything in the amendment that indicates that a right would be given to an official to enter anyone's home?

Mr. ELLENDER. I did not hear the Senator. Will he please repeat his question?

Mr. CORDON. I do not understand that the amendment makes any such provision. I understood, however, the Senator from Louisiana said it would permit an official to go into a man's home at almost any time.

Mr. ELLENDER. Let us assume a farmer employed four or five persons who were lodged in the farmer's home. When I worked in the wheat fields of North Dakota back in 1912 and 1913 I slept in the barn. Under our law and our Constitution, before an official could enter such premises to make an investigation or to make an arrest, he would have to obtain a warrant.

Mr. CORDON. The language of the amendment is "to permit reasonable entry and inspection of the places of employment." Does that not mean that the "places of employment" would be the farms?

Mr. ELLENDER. It would be the house, if a man was working in the house.

By the adoption of the Douglas amendment we have imposed fines and imprisonment in case an employer employs a wetback or an alien who is illegally in the United States. I can well conceive that if the pending amendment is adopted, the immigration officials will be permitted, under the conditions set forth in the amendment, to go into a man's home and make a search without having a search warrant, although the law now requires that a search warrant

be first obtained. I think to permit a search to be made without having a search warrant would be going too far, Mr. President. So far as I am concerned, I believe the amendment should be rejected.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. ANDERSON. Will the Senator yield several minutes to me?

Mr. ELLENDER. How much time have I left, Mr. President?

The PRESIDING OFFICER. The Senator has 15 minutes remaining.

Mr. ELLENDER. I yield to the Senator from New Mexico as much time as he requires.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. ANDERSON. Mr. President, following the remarks of the distinguished chairman of the committee, I merely wish to say, that a great many persons are worried considerably about this proposal. In the case of some employers, there have been repeated complaints that officials of the Immigration Service have gone too far in visiting the fields and making inquiries of the workers there and asking them to present their credentials for entrance into the United States. Mr. President, we do not have a white-card system in our country, although I have tried rather hard to have enacted a bill providing for one. We do not require workers who perhaps are working in the cotton fields to stop work in order to satisfy some official who wonders whether they are properly in the United States.

I am anxious to have the Congress enact legislation which will strike at the wetback situation and will stop the illegal entry of such persons into our country; but I think it would be all wrong for officials of the Immigration Service to be allowed to go into the fields and demand of the workers there, "Show us evidence that you are properly in the United States at this time." If we were to permit that to be done, I think we would destroy a great deal of the usefulness of the imported labor.

If the Government has evidence that a certain person is improperly in the United States, undoubtedly the Government has a perfect right to act in such a case. Under the terms of the amendment we have just adopted, those who employ such persons can be properly punished.

However, I think it would not be best, in attempting to have harmonious relations and proper conditions established, to permit a horde of investigators to go into the fields and demand from the workers there evidence that they are properly in this country.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. MORSE. Would the Senator from New Mexico have any objection to adding to the amendment just adopted the amendment I now have pending?

Mr. ANDERSON. No, for I think the Senator's amendment accomplishes all that it is necessary to accomplish in this field. I think the amendment of the

Senator from Oregon goes beyond the amendment of the Senator from Illinois; and so far as I am concerned, I should like to see the Senate adopt the amendment of the Senator from Oregon.

In my opinion, the pending amendment is a bad one. I base that statement on the fact that time and time again I have received hundreds of complaints from farmers who say that the immigration officials go along the highways, not to pick up wetbacks who may be on the highways, but to go to individual farms and bother the workers in the fields there, hour after hour, all day long. That is what I should like to strike at.

So I shall be glad to support the amendment of the Senator from Oregon, which I originally stated I should be glad to support. I think his amendment, coupled with the fine amendment of the distinguished Senator from Illinois, would give us all we need in this field.

I really am worried about the pending amendment, I wish to say.

Mr. MORSE. Mr. President, I suggest to my friend, the Senator from Minnesota [Mr. HUMPHREY], if I may do so—and I also call this matter to the attention of the Senator from Louisiana [Mr. ELLENDER]—that there be a little negotiation on the floor, in view of the fact that I took the language of my amendment from the bill which the Senator from Louisiana has pending before the Judiciary Committee.

Therefore, I wonder whether my good friend, the Senator from Minnesota, will consider withdrawing his amendment and substituting my amendment for it, with the understanding that we can add my amendment to the amendment which has just been adopted, and then stop with that.

Mr. ANDERSON. Mr. President, I was hopeful that the Senator from Oregon would propose his amendment as a substitute for the amendment of the Senator from Minnesota; and I would hope that we would adopt his substitute, and then add it to the bill which is to go to conference. If we would do that, I think we would solve this entire problem.

Mr. MORSE. I would rather have that suggestion come from the Senator from Minnesota.

Mr. ANDERSON. Of course the Senator from Oregon has a right to propose it if he wishes to do so.

Mr. MORSE. Yes; but I would rather not negotiate from that end first.

Mr. ANDERSON. Very well.

Mr. HUMPHREY. Mr. President, let me say that I am almost persuaded and convinced—"almost thou persuadest me"—of the validity of the argument advanced by the Senator from Oregon. However, I wish to remonstrate for a moment with my friend, the Senator from New Mexico, because I am somewhat disturbed about the importance that is attached to my amendment.

The President's Commission on Migratory Labor in American Agriculture, which spent a great deal of time investigating this problem—much more time, I may say, than any Member of the Senate has; and I think I am not unkind in making that statement—feels that my amendment is a rather modest, meek,

mild proposal. On page 87 of the report of the President's Commission, the proposal in the amendment which has just been adopted—that of the Senator from Illinois [Mr. DOUGLAS]—is referred to as one which goes so far that the Commission is not sure that it should be adopted. The proposal in the amendment of the Senator from Oregon was considered by the Commission as the second most stringent proposal. However, the proposal I have advanced was unanimously acclaimed as being filled with light, hope, and charity.

Of course during this debate, certain fears and doubts have been expressed. However, let me read from the report of the President's Commission on Migratory Labor in American Agriculture:

Statutory clarification on the above points will aid in taking action against the conveyors and receivers of the wetback. These clarifications of the statute, together with increased funds and personnel for enforcement, are possibly all that are needed to deal effectively with the smuggler and the intermediary. But this will not be enough. Something more needs to be done to discourage the employment of wetbacks and to take the profit out of it. It was repeatedly suggested to the Commission that it recommend making the employment of a wetback a crime.

That is what we have just done.

I read further:

This suggestion has merit since, if the risk involved in employing wetbacks were increased, the traffic would soon diminish. In addition to making employment of an illegal alien unlawful, much would be accomplished by taking the profit out of such employment. It seems likely that if farm employers had to maintain a decent standard of minimum wages, irrespective of the nationality of the worker to whom the wages are paid, the advantages of wetback employment would disappear.

Then in the report the President's Commission goes on to point out the following:

The attack on the problem will have to be manifold. The wetback traffic has reached such proportions in volume and in consequent chaos, it should not be neglected any longer. The techniques to be employed may be of various types but we believe the basic approaches are encompassed in our recommendations.

The headline at that point in the report is "Recommendations;" and I continue to read:

RECOMMENDATIONS

We recommend that—

(1) The Immigration and Naturalization Service be strengthened by (a) clear statutory authority to enter places of employment to determine if illegal aliens are employed.

Mr. President, I make note of the fact that out of all the approaches dealt with in the Commission's report on the wetback problem, this was considered to be the first approach—not the final and conclusive approach, but the first one. The approach we have taken on the floor of the Senate, which was logical for purposes of debate and argument, was to take the most extreme proposal first—namely, to make the employment of such persons a crime—which has been done by the amendment of my able friend, the Senator from Illinois. Next, it is pro-

posed that we take the approach of restricting the use of such labor. That approach is covered by the amendment of my friend, the Senator from Oregon, which I shall support. Third, we might take the obvious approach of permitting the immigration officials to go into places of employment where the wetbacks might be found, and to provide those officials with the tools with which they could make proper enforcement of these provisions.

That does not mean that we should authorize a horde of immigration officials to run about the country interrogating workers in the fields. The Congress would not authorize that to be done; in fact, Congress could prevent such a thing by placing sufficient restrictions on the appropriations. Of course, that is a method by which the Congress has been able to control such situations very well.

Perhaps it would be well to provide further restrictions. On the other hand, I wish to say that it does not do much good to say that the employment of wetbacks is a crime if we do not make it possible for the proper officials to determine whether wetbacks are actually employed.

So I propose that we permit the proper officials to determine whether wetbacks are being employed. However, it is not my proposal that such officials be permitted to go into the farmer's parlor to make such inquiries. Let us not misunderstand my proposal, Mr. President. My amendment would not permit the officials making such investigations to determine whether the wetbacks were being invited to share the Sunday dinner with the farmer and his family, but my amendment would permit the officials to go into the camps and centers of employment to find out whether wetbacks were there.

So I do not propose to withdraw my amendment. I prefer to go down fighting, rather than to withdraw an amendment which I consider to be as important to this bill as a police department is important to the enforcement of a city ordinance. In other words, I believe it would be as fallacious to withdraw this amendment as it would be to withdraw from a displaced persons bill the provisions regarding the functioning of the Immigration and Naturalization Service in that connection.

Mr. ANDERSON. Mr. President, may I ask the Senator to allow me time on my side of the amendment?

Mr. HUMPHREY. Of course, I was using my own time.

The PRESIDING OFFICER. The Chair understands that the Senator from Minnesota was using the time of the Senator from Louisiana.

Mr. HUMPHREY. No, Mr. President; I still have approximately 5 minutes of my own time left.

The PRESIDING OFFICER. That is correct; but the Senator from Louisiana had the floor, and had yielded to the Senator from New Mexico.

Mr. HUMPHREY. I am sorry. I ask that the time I have used just now be charged to my own time.

The PRESIDING OFFICER. Very well.

The Senator from Louisiana has 5 minutes remaining.

Mr. ELLENDER. Mr. President, as I indicated a while ago, we have gone far toward making an effort to settle the wetback problem. Question has been raised several times with respect to the so-called Morse amendment. Personally and as chairman of the committee, I have no objection to the Morse amendment, for the simple reason that it is not only desirable, but, under the present agreement between our Government and the Mexican Government, there is this provision:

23. Permission to contract workers under this agreement shall not be granted to those employers who continue to use Mexican workers who are illegally in the United States.

So since that provision is already in the agreement between the United States and Mexico, I can see no harm in incorporating it into the law itself.

Mr. ANDERSON rose.

Mr. ELLENDER. I yield the remainder of my time to the Senator from New Mexico.

Mr. HUMPHREY rose.

Mr. ANDERSON. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I wonder whether the Senator would yield to me to make a unanimous-consent request that, in view of the great interest which has been manifested in the Morse amendment, the vote on the amendment which I have offered be temporarily withheld, that the Morse amendment may be now considered and voted upon, so that we clear the decks on that particular amendment, and then revert to the amendment which I have offered.

Mr. ANDERSON. I would be very glad to do that, because I am for the Morse amendment.

Mr. HUMPHREY. I am, too; and I am glad to cooperate with the Senator from New Mexico. I ask unanimous consent that the pending amendment be laid aside for the moment, that the Senate proceed to consider the Morse amendment, and that, at the conclusion of debate on the Morse amendment, we revert to the Humphrey amendment which is now before the Senate.

The PRESIDING OFFICER. Is there objection to the request? The Chair hears none, and it is so ordered.

Mr. MORSE. Mr. President, in view of the modification made in the Douglas amendment, I desire to modify my amendment C in line 5, before the word "alien", to insert "Mexican", and, in line 8, before the word "alien", to insert "Mexican." I have no further argument to make in support of my amendment.

The PRESIDING OFFICER. The clerk will state the amendment of the Senator from Oregon, as modified.

The LEGISLATIVE CLERK. On page 5, line 5, after the word "employment", it is proposed to insert: "Provided, That no workers shall be made available under this title to, nor shall any workers made available under this title be permitted to

remain in the employ of, any employer who has in his employ any Mexican alien when such employer knows or has reasonable grounds to believe or suspect or by reasonable inquiry could have ascertained that such Mexican alien is not lawfully within the United States."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon [Mr. MORSE], as modified.

GENERAL MARSHALL AND THE DATE
DECEMBER 7, 1941

Mr. MCCARTHY. Mr. President, I wonder whether the Senator from Oregon will yield me 2 or 3 minutes for a brief statement.

Mr. MORSE. I yield 2 minutes to the Senator from Wisconsin.

Mr. MCCARTHY. Mr. President, I would like to read into the RECORD a brief excerpt from a book by Arthur Upham Pope entitled "Maxim Litvinov." The reason for my wishing to put this in the RECORD today is that the two committees, sitting jointly, are now examining General Marshall. His memory was not too good this morning. It recalled to my mind the fact that his memory was faulty concerning the events on the morning of December 7, and the night before. In order to refresh his memory, I now read from a purported part of a diary in this book by Arthur Upham Pope, to the effect that Marshall was meeting Litvinov on the morning of December 7. I quote from page 473:

On the morning of Sunday, December 7, Litvinov's plane arrived at Bolling Field, Washington, D. C. He was received by Brig. Gen. Phillip R. Fementhal, former military attaché in Moscow, now chief of the supply mission to the Soviet Union, by General Marshall and Admiral King, among other officers and officials.

I called Bolling Field to see whether that was the day on which Litvinov's plane arrived, and whether there was any record of General Marshall's having met him, in order that we might better refresh the general's memory.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. MCCARTHY. I yield.

Mr. LANGER. Does the Senator mind stating the year? He said December 7, omitting the year.

Mr. MCCARTHY. 1941. In other words, it was on Pearl Harbor day. I called Bolling Field, and was told it is the practice to destroy such records after 1 year's time, and that it was impossible to give me that information. However, my office talked to one of the young men who was at Bolling Field at the time, and he said that, while he could not recall the exact date, he recalled that a plane landed with a number of Russians on or about that date. I think this might be of some interest to the committees which are now examining General Marshall. They might want to use it to refresh the general's memory.

SUPPLYING OF AGRICULTURAL WORKERS
FROM MEXICO

The Senate resumed the consideration of the bill (S. 984) to amend the Agricultural Act of 1949.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Oregon [Mr. MORSE], as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. Under the unanimous-consent agreement previously made, the Senate now reverts to the consideration of the amendment of the Senator from Minnesota [Mr. HUMPHREY].

Mr. ANDERSON. Mr. President, I want to say that I am not too much worried about what happens to this amendment. I am not going to fall out with my good friend from Minnesota about the amendment. I simply say to him that I have had opportunity personally to investigate case after case in which the Immigration Service has used this sort of club to whip employers whom they did not like, and to go along with employers whom they did like. A short time ago I pointed out that when Mr. Wilmoth was in charge of the El Paso office of the Immigration Service—and I am not going to cast any kind of aspersion on him, because he is dead, he regularly went around in the fields, checking up on certain employees and employers, as to whom he had not received a report for a long time. The man in charge of the San Antonio office never worried about any of those things at all. One group of people could bring in all the wetbacks they wanted, more than were ever brought into my State, and more than were ever brought into the State of Arizona, and nearly as many as were brought into California. There was no check-up whatever in those areas, but one individual officer in a particular area was using that discretion.

If we have a law against narcotics, I do not expect that a narcotics officer will come to my house, or to the house of any other Member of the Senate, to say, "I want to search your house today, to see whether you are violating the law." If he has any evidence that I am violating it, let him make it known.

I think I have gone a long way in trying to support the amendments which have been adopted here today. I do not think the farmers of my State like either the Douglas amendment or the Morse amendment; but I consider them to be reasonable amendments, and I am glad to support them. But I see, from my experience with the administration of laws of this kind on the border, that I do not like the pending amendment, because under it a man, in the uniform of the Immigration Service with a pistol on his hip and a big badge on his coat, could go around and inquire as to the legality of the entrance of anyone, including Mexican nationals who are legally here under contract, brought in under certification of the Department of Labor. The alien laborers become scared at that sort of thing and say, "We are going home; we do not know what this officer wants to start, but we are not going to be arrested."

I think the amendment goes too far. If the immigration officers know there has been a violation, they ought to find out about it. They ought to be able to

search it out. But they do not need the language of this amendment to enable them to act.

Mr. HUMPHREY. Mr. President, will the Senator yield at that point?

Mr. DOUGLAS. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I merely wanted to ask the Senator whether he felt that the phraseology, "permit reasonable entry," was in anyway clarified. I sense some of the fears which the Senator from New Mexico expresses, in that the foreign workers are justifiably concerned. I want the Senator to know that it is not the intent of the Senator from Minnesota to have any type of gestapo method employed against these people. It was merely my intent to try to expedite or to facilitate the enforcement of the law regarding the wetback.

Mr. ANDERSON. Mr. President, I am not trying to criticize what the Senator said. All I am saying is that I think it might be well to take the new authority granted by the Douglas amendment and the authority granted by the amendment of the Senator from Oregon [Mr. MORSE] and see if those two amendments do not give us all the administration we need with respect to wetbacks. I believe they do.

Mr. DOUGLAS. Mr. President, first, I want to congratulate—

The PRESIDING OFFICER (Mr. LONG in the chair). The time of the Senator from New Mexico has expired.

Mr. HUMPHREY. Mr. President, I yield whatever time the Senator from New Mexico needs to complete any interrogation or comments he may wish to make.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. LANGER. Under the amendment of the Senator from Minnesota, could the officers go in at any time of the day or night?

Mr. ANDERSON. There is no restriction whatever on them.

Mr. LANGER. They could go in at midnight and ask anything they wanted to ask?

Mr. ANDERSON. I think so. I know how the Senator from North Dakota is always sympathetic to the cause of labor, but I think he would agree with me that we have to proceed more or less slowly in these matters. We have already made a great step forward in the bill. I commend the spirit of the Senator from Florida and the Senator from Illinois in trying to work out this question. I commend the Senator from Oregon for not opposing the amendment or pleading with the Senator from Illinois to withdraw his amendment. I know troubles can come to the program, and I want to say to the Senator from Minnesota that if it does not work out properly, both he and I, God willing, will be in the Senate a year from now, and I shall lend support to him if it has not worked out well.

Mr. DOUGLAS. Mr. President, I congratulate the Senator from New Mexico on his fair-mindedness, and to ask whether the Senator from Minnesota is not correct in his fear that at present immigration officers may lack legal au-

thority to enter farms and ranches or other enclosed land to inspect or search for aliens who have entered illegally. They now have authority to enter private property if they have a warrant, or without a warrant if a deportable alien is on the property and is likely to escape, but I do not think it is equally within their authority to enter farms and ranches to hunt for aliens who have entered the country illegally. That is the fear that is in my mind.

Mr. ANDERSON. What has happened in regard to searches is what has so incensed farmers along the border. The immigration officers do not have the authority to search, but that does not prevent them in the slightest from making searches. Farmers protest. I should like to have the subject treated on the basis suggested by the Senator from Illinois and the Senator from Oregon. If that does not work, we shall have to try something else. I am not asking the Senator from Minnesota to withdraw his amendment. I am going to be compelled to vote against it, because it can hurt what I think is otherwise a good program. My desire is to have wetbacks prevented from working within the United States. There are many employers—Senators know of many of them—who try to work out their problems decently with fair wages, and I think they should have a chance to have a bill that will work properly.

Mr. CORDON. Mr. President, I rise to support the amendment offered by the Senator from Minnesota. In my opinion, we shall never get the wetback problem solved along the border if we handcuff the persons charged with the duty of doing the job. If they cannot go where the wetbacks are and determine who they are and how many there are, there will be no enforcement of the law. Very often we provide penalties that are too heavy, so that the law is not enforced. This amendment gives to the employers who desire to take advantage of a special privilege granted them along the border the right to do so. That is where the wetback problem is found. They must agree, if they are going to take labor from across the border, that they will permit the officers of the United States to determine the question. It is a sound provision, in my opinion, and I shall support it.

The PRESIDING OFFICER. All time for debate has expired. The question is on agreeing to the amendment offered by the Senator from Minnesota. [Putting the question.] The Chair is in doubt. The Chair will ask for a division.

On a division, the amendment was rejected.

Mr. MORSE. Mr. President, I want to be recorded as voting in favor of the amendment.

Mr. ANDERSON. Mr. President, I call up my amendment A.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from New Mexico.

The LEGISLATIVE CLERK. On page 4, line 21, it is proposed to strike out the word "already" and insert in lieu thereof the word "legally."

Mr. ANDERSON. Mr. President, I merely wish to say that I was almost persuaded that the Senator from Minnesota had a better amendment than I had, and I have almost persuaded him that I have a better amendment than he has. We are trying only to straighten out a provision which might be misinterpreted. I believe the adoption of my amendment would help greatly in the proper administration of the law. I know the hour is late, and I do not care to discuss the amendment in great detail. I think everyone is familiar with the problem that is posed. I hope the chairman of the committee will take the amendment to conference.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. ELLENDER. Mr. President, if I were to chose, I should prefer the amendment offered by the Senator from Minnesota because it conforms more to the amendment adopted by the committee. I hope that is agreeable to my distinguished friend.

Mr. ANDERSON. I think I shall modify my amendment to conform to the amendment proposed by the Senator from Minnesota.

Mr. ELLENDER. To that I have no objection.

Mr. HUMPHREY. Mr. President, we are being so kind to one another that it reminds me of Alfonse and Gaston, or whoever the duo were. There is a difference between the two amendments. The amendment proposed by the Senator from Minnesota would check on those persons who illegally entered the United States, who had gained illegal entrance, strictly at the entrance points.

The amendment of the Senator from New Mexico not only checks them on illegal entrance, but checks on those who illegally remain. I say his is a more inclusive amendment. It only goes to prove that there is no substitute for legislative experience. I saw only the edges of the proposition, and the Senator from New Mexico saw the entire picture.

Mr. ANDERSON. Mr. President, I absolutely cannot resist that kind of temptation. I insist upon the original language of my amendment. I shall not take the language of the amendment offered by the Senator from Minnesota. I ask the chairman of the committee if he will take my amendment to conference.

Mr. ELLENDER. I shall be glad to do so.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Mexico [Mr. ANDERSON], as modified.

Mr. ANDERSON. No, Mr. President, not as modified. I left my amendment as it was.

The PRESIDING OFFICER. The Senator from New Mexico did not modify his amendment.

Mr. ELLENDER. Mr. President, in that situation I cannot agree to take the amendment to conference. The question was thoroughly discussed in Mexico City, and what we are trying to accomplish is: if there are some Mexicans who have legally entered the United

States, but whose contract has expired, to make provision whereby they can be recontracted. The amendment of the Senator from Minnesota would permit that being done, whereas, if we adopted the amendment of the distinguished Senator from New Mexico, it would be necessary for all Mexicans whose contracts had expired to go back to Mexico, and reenter before they could be recontracted.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. ANDERSON. I understand, then, that it is because of contractual obligations to Mexico that the Senator prefers the Humphrey amendment.

Mr. ELLENDER. That is correct.

Mr. ANDERSON. Then, Mr. President, I modify my amendment, and will use the language contained in the amendment of the Senator from Minnesota.

Mr. HUMPHREY. The Senator realizes, does he not, that he is taking the language which is less comprehensive.

Mr. ANDERSON. I realize that, but I also realize that the Senator from Louisiana went to Mexico when some of the others of us refused to go, and worked hard, and accomplished as fine a result as has been accomplished in this field in a long time.

I wish to commend him for saying that the amendment of the Senator from Minnesota is preferable.

The PRESIDING OFFICER. The clerk will state the amendment, as modified.

The LEGISLATIVE CLERK. On page 4, line 22, after the word "in", it is proposed to insert the following: "by virtue of legal entry."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico, as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HUMPHREY. Mr. President, I call up my amendment lettered "O," of April 25, 1951.

The PRESIDING OFFICER. The legislative clerk will state the amendment.

The LEGISLATIVE CLERK. On page 4, line 18, it is proposed to strike out the period and insert a comma and the following: "and (3) reasonable efforts have been made to attract American workers for such employment at terms and conditions of employment comparable to those offered to foreign workers."

Mr. HUMPHREY. Mr. President, I believe the language of the amendment is self-expressive and self-defining. It provides that reasonable efforts shall be made to attract American workers, at terms and conditions of employment comparable to those offered to foreign workers. In essence, this is the crux of the bill. As has been pointed out by the Senator from New Mexico, the measure which is being sponsored by the Committee on Agriculture and Forestry is a decided advance. I have indicated again and again to the chairman of the committee that I feel it is a substantial

advance in the field of our relationships with Mexico on the whole subject of migratory labor.

However, Mr. President, I am sure that all of us are justly concerned about the standards of employment and working conditions of our own domestic labor supply. As has been pointed out today and on other days during the debate on the pending bill, certain of its provisions in some instances would give the Mexican worker advantages far beyond those granted to domestic workers. I would not deny such advantages to the Mexican worker. I think he ought to have them. I think we are dealing with a great humanitarian service. We are trying to lift his standard of living and his standard of working conditions. However, I feel that as we do such things for the Mexican workers we should provide the same advantages to our own workers. Likewise, I think that before the Secretary of Labor or anyone else makes certification for the importation of foreign labor we ought to be certain that the source of American labor has been fully exhausted, at least to the point where domestic workers could meet the employment requirement.

So I say the amendment is fundamentally expressing the will of the Senate, which I think it is fair to describe as not wishing to discriminate against domestic workers.

There is, of course, no such thing as an absolute shortage of manpower. Shortages of manpower are relative to the terms and conditions of employment offered. It may surprise Members of this body to learn that the report of the President's Commission makes the fact extremely clear that domestic workers are offered less advantageous terms and conditions of employment than are offered to foreign workers. I wish to emphasize that fact. Despite all the hue and cry which is being made about the working conditions of the foreign workers—and they are bad—the fact is that the working conditions of domestic migratory workers in terms of employment are even more sad and despairing than those of the foreign workers. Mexicans are guaranteed minimum employment. The Mexican contract guarantees employment for 75 percent of the contract period, which frequently is 6 months. The Puerto Rican contracts guarantee 160 hours of employment in each 4-week period. The employment guarantee for workers from the British West Indies is in terms of minimum earnings. They are guaranteed minimum earnings of \$25 in each 2-week period.

The striking finding of the President's Commission, from the 12 hearings, which were held across the country, is that domestic workers are not characteristically offered such employment guarantees. In only one instance did the Commission receive testimony indicating that the terms and conditions of employment offered to foreign and Puerto Rican workers were offered to domestic workers, though in two or three other instances it did find contracts offered to domestic workers in less advantageous terms. The most important of the dif-

ferences in terms and conditions of employment is the employment guarantee.

Mr. President, I shall not burden the RECORD with an extended discussion of the subject, because my friend, the chairman of the committee, is thoroughly familiar with the facts on the migratory labor problem. Everyone who has participated in the debate is in essence a student of the problem. At least he has spent some time and effort to dig out the facts.

If adopted, my amendment would provide, first, that reasonable efforts shall be made to attract American workers. In other words, we shall not legislate a discriminatory pattern against American workers who are available for the job. Secondly, employment shall be at terms and conditions of employment comparable to those offered to foreign workers.

Mr. President, I submit that no one would want to give to people who were imported into the country better working conditions than are given to our own American citizens, who are taxpayers of our country, who are called upon to defend our country, who exercise their duties of citizenship, and who perform their duties of community work and community leadership.

In other words, the amendment would make crystal clear to millions of people in America that as we legislate to alleviate employment conditions for foreign workers we do not legislate against our own brothers and sisters and our fellow citizen in the continental limits of the United States of America. We would give to our American citizens at least equal treatment with foreign workers. We would be giving a written guaranty to the American worker that he would be given as fair and equitable treatment in terms of employment and working conditions as are extended to the worker who is imported from Mexico. He would be given an opportunity to fill the job. If he cannot fill the job we will go to a foreign country—in this instance to Mexico—to find laborers who can fill it. I believe it is a patently fair request of Congress. It certainly seems eminently fair in terms of our domestic labor supply.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. HUMPHREY. Yes.

Mr. LANGER. Would it mean, for example, that a farmer in Minnesota would have to give a guaranty to a migratory laborer?

Mr. HUMPHREY. No; it does not mean that at all. I may say to my friend from North Dakota, that first of all it means that before anyone in Minnesota, South Dakota, or North Dakota could import any Mexican laborer every reasonable effort shall have been made to find the necessary labor supply in our own States. I think no one would deny that it should be done. Secondly, it means that the American worker at least ought to get as much pay, as good housing, and as good medical treatment as is supplied to a foreign worker who is imported into the country.

Mr. LANGER. Would it have to be in writing?

Mr. HUMPHREY. No; it would merely establish a number of standards.

Mr. LANGER. In other words, it says much, but it does not mean anything?

Mr. HUMPHREY. Yes; it means something.

Mr. LANGER. What does it mean?

Mr. HUMPHREY. It means that every means must be exhausted to find out whether or not there is available a domestic labor supply. Secondly, the American worker shall not be compelled to work under conditions less favorable than those under which a Mexican worker labors. The amendment can be given meaning in terms of medical care, type of employment, length of employment, wages, hours of work, housing, and all the other factors entering into the employment of foreign migratory workers.

Mr. LANGER. Let us take Mr. X, who is a farmer. He wants to employ some Mexican laborers in his sugar-beet fields. What must he do in order to get American labor? Must he advertise in newspapers?

Mr. HUMPHREY. He would go to his employment office. Perhaps he would go to his newspaper. His major source of supply would be through the farm placement service of his State employment agency.

Mr. LANGER. If he finds all the American labor he needs to work in his sugar-beet fields, must he make some sort of a written contract with his workers, saying, for example, that the workers shall have 160 hours of work?

Mr. HUMPHREY. It would be a good thing to do. However, it is not mandatory.

Mr. LANGER. It is not mandatory?

Mr. HUMPHREY. No. It is an effort to establish a standard. It is an effort to provide that before contracts can be let in an area, such as in Minnesota or North Dakota, first of all the Secretary of Labor shall declare that there a labor shortage exists. It means that there must be examination within that area to determine whether there is a domestic labor supply. Then it says to the prospective employer that at least the American worker has the right to expect conditions of employment which are as favorable as those given to the foreign worker.

Mr. LANGER. Under the Senator's amendment would the American worker get what he expects?

Mr. HUMPHREY. That I cannot say. I will say to my friend from North Dakota that if the American people got from the laws of the land what they expected, we would have fewer complaints.

Mr. LANGER. Under the Senator's amendment would the American worker get what he expects?

Mr. HUMPHREY. He is not guaranteed it.

Mr. ELLENDER. Mr. President, I dislike to oppose my distinguished friend from Minnesota again, but I believe that Senators realize that it is to the advantage of the American farmer to hire local help if he can get it, because he does not have to pay the expenses of transportation and other expenses which must be paid in the case of a Mexican worker.

Sometime ago during this debate it was stated that under the terms of the bill efforts would not be made to obtain the services of all available domestic labor. I wish to point out to my good friend from North Dakota the provisions in section 503 of the bill:

No workers recruited under this title shall be available for employment in any area unless the Director of State Employment Security for such area has determined and certified that (1) sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed, and (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed.

I believe that domestic workers are protected by that language. If we should adopt the amendment of the distinguished Senator from Minnesota it would mean that before the Secretary of Labor could certify that a Mexican worker is needed it would have to be shown that a domestic worker was offered everything offered to the Mexican worker—that is, his transportation, subsistence, housing, insurance against occupational risks, and everything of that kind. If the Senate is desirous of destroying this measure, it can simply adopt the pending amendment.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. ANDERSON. Is it not true that in the discussion of the bill in the committee we tried to make it advantageous to use domestic labor?

Mr. ELLENDER. Exactly.

Mr. ANDERSON. We wanted it to cost more for an employer to use foreign labor. He must provide insurance, housing, transportation, and other expenses. So he would try to use domestic labor. Would not this amendment destroy the very purpose we tried to accomplish? Would it not destroy the differential?

Mr. ELLENDER. There is no doubt about it.

Mr. ANDERSON. I do not know that the Senator would care to comment, but the first part of the amendment of the Senator from Minnesota reads:

And (3) reasonable efforts have been made to attract American workers for such employment—

Then follows language which makes the provision unworkable, namely—

at terms and conditions of employment comparable to those offered to foreign workers.

The American worker would have to be offered transportation to a border point. He would have to be given subsistence, burial expenses, and other allowances. This amendment would take him completely out from under the workmen's compensation laws and social security laws. I believe that we would be doing a great injustice to domestic workers by adopting this amendment, which would require that they be given the same privileges as are given foreign workers. Therefore it would be made just as attractive and advantageous to an employer to employ a foreign worker or a man from Mexico.

I know that the Senator from Minnesota is interested in the American workingman. I hope he will see that there is a very decided advantage to the American workingman in having a situation in which it costs more to bring in a worker from Mexico, because of the extra expense involved. Under such conditions the employer will try to use domestic workers, as he should do.

Mr. ELLENDER. That is what I tried to point out a moment ago. I am glad to have the distinguished Senator from New Mexico bring out that point.

The only reason why the Mexican worker is being given all these extras is that the Mexican Government is insisting upon it for its own nationals. As the distinguished Senator from New Mexico has pointed out, the bill would make it more expensive for an American employer to hire Mexicans. Therefore, his inclination would be to employ domestic labor in preference to foreign labor.

Mr. HUMPHREY. Mr. President, I merely wish to point out that the Mexican Government has been most vigilant in its attention to the needs of its own nationals. The Mexican Government insists on certain protections being written into the law for the benefit of its own people. What the junior Senator from Minnesota is attempting to say—possibly with not too much clarity—is that if the Mexican Government can get our delegation to agree to protect the nationals of Mexico, I think we ought to do a little toward protecting the nationals of the United States.

Perhaps my language in this amendment is too stringent, too restrictive, or too comprehensive. I am open to suggestions as to any modification which would tend in any way to make it more palatable or acceptable.

Mr. ELLENDER. Mr. President, I believe that the language which is now in the bill, and to which I have referred on many occasions on this floor, is sufficient to protect domestic workers. As I have pointed out many times, the Secretary of Labor, who is to administer the law, must make two determinations. First, he must determine that there is not sufficient domestic labor available; and secondly, that the wages paid to the Mexican labor will not in any manner affect the wages paid domestic workers.

Mr. HUMPHREY. On that point I think we can come to some agreement.

Mr. ELLENDER. It strikes me that that language is sufficient protection. I grant to my good friend from Minnesota that we may have gone a little far in agreeing to what the Mexican Government was demanding. However, the Mexican Government has had some experience in the past; and from that experience have come these new ideas as to how the contract should be formulated.

I may state to my good friend that there is nothing to prevent an American worker from asking for the same terms and conditions as are given to Mexican laborers. The Senator understands that.

Mr. HUMPHREY. Yes.

Mr. ELLENDER. The only reason why we have incorporated such a provision in this bill is that that is the only way by which we can obtain these workers.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. DOUGLAS. I should like to make a suggestion which may reconcile the apparent differences between the Senator from Minnesota on the one hand and the Senator from Louisiana and the Senator from New Mexico on the other.

The objections by the Senator from Louisiana and the Senator from New Mexico seem to be addressed to the words "and conditions of employment comparable to those offered to foreign workers" in line 4 of the amendment. The Senator from Louisiana and the Senator from New Mexico are afraid that this language might be used to require the meeting of transportation costs of domestic workers, sickness costs, and so forth.

If we were to strike the words "and conditions of employment" and substitute the phrase "of wages and hours," the language would then read:

And (3) reasonable efforts have been made to attract American workers for such employment at terms of wages and hours comparable to those offered to foreign workers.

That would eliminate the need for meeting transportation costs, health payments, and so forth, and would merely mean that an employer could not import foreign workers unless domestic workers received equal wages and did not work longer hours.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ELLENDER. That could mean that an employer would have to guarantee the domestic worker work for at least three-fourths of the time covered by the contract whether he worked or not. In other words, suppose the employer employs him for 2 months. Whether the employee works or not, the employer would have to guarantee him three-fourths of the time at whatever pay is agreed on. That was one of the conditions we had to agree to in the agreement made with the Mexican Government, for the reason that the Mexican workers come from afar, spend a good deal of time on the way, and an agreement had to be made that if the contract was, let us say, for 4 months, the workers would be guaranteed at least 3 months of employment; otherwise, it would not pay them to come here. Under the amendment proposed by the Senator from Minnesota, it would be necessary to extend the same conditions to the domestic worker, which would be most costly.

I believe the domestic worker is thoroughly protected under section 503 of the bill, which I have read time and again. I repeat, it is to the advantage of the employer to hire local labor because it is cheaper in the long run. I repeat what the Senator from New Mexico said a moment ago, that all the con-

ditions which are imposed with respect to the employment of Mexican labor make the costs so high that it discourages an American employer from employing a Mexican rather than an American worker.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HUMPHREY. The Senator refers to the possibility of local labor being able to fulfill employment needs. As a matter of fact, the supply of migrant domestic workers is not always adequate locally. There is a group of domestic labor which travels from one side of the country to the other, and at times it would be necessary to go very far away, to the other side of the Nation, to obtain employees.

Mr. ELLENDER. Mr. President, I had a talk with Mr. Don Larin of the Farm Placement Service of the United States Employment Service. I am sure the Senator knows him.

Mr. HUMPHREY. Yes.

Mr. ELLENDER. I asked him to write me a memorandum as to what efforts were made to determine that domestic workers were not available. This is what he wrote:

Statements have been made during this debate that sufficient domestic labor is available for agricultural employment if proper recruitment efforts were to be made. The requirements of the United States Employment Service, before it will certify to the unavailability of domestic labor, are specific. These indicate very clearly the efforts involved before any certification for the importation of foreign labor will be made.

Listen to this:

First, every employer must file an order with a local employment office requesting domestic labor. The local office searches its files for qualified workers, and if unable to recruit the labor on the basis of its records, resorts to other recruitment devices which commonly include use of the press and radio.

When the local office has been unsuccessful in its own jurisdiction, it originates a clearance order which will reach every office in the State before the effort is extended beyond State lines. Each local office attempts to recruit the needed labor.

If there is no labor supply within the State, the State office of the employment service sends the order to adjoining States, where it goes to local offices thought to have a potential supply of labor. Those local offices recruit labor through the use of their own files and by other recruitment devices.

Should adjoining States be unable to furnish the labor, the order goes to a regional office of the United States Employment Service, which sends the order to other States which may have a potential supply of labor.

If the regional office first receiving the order and adjoining regions cannot locate a source of labor supply the order is transmitted to the Washington headquarters, who transmit the order to distant States which may have a potential labor supply.

In every instance recruitment effort is made to secure domestic workers who are qualified and available and willing to accept employment offered.

It strikes me that if the employment service goes through all that procedure or any similar to it, there ought to be sufficient protection to domestic labor. Added to the argument I submitted a

while ago, it should be plain that domestic workers will have first preference.

As I have stated, I believe that the committee has provided sufficient protection for domestic workers, and, I repeat, the only reason why we have imposed other restrictions, for instance, such as those relating to insurance against occupational risks, lodging and transportation, and other matters, is because it is the only way by which we can obtain Mexican labor.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. DOUGLAS. In my effort to be an honest broker and adjust the differences between the Senator from Minnesota and the Senator from Louisiana, I wonder if the following modifying language might not be acceptable to the chairman of the committee, namely, after the word "at" in line 4, to have the remainder of the line read: "wages and standards hours of work comparable to those offered to foreign workers."

This would remove any requirement for a minimum guaranty of employment. It would provide merely that the hourly rate, the standard hours per week, would be comparable to those guaranteed to foreign labor.

Mr. ELLENDER. How would the Senator's amendment then read?

Mr. DOUGLAS. It would then read:

Reasonable efforts have been made to attract domestic workers for such employment at wages and standard hours of work comparable to those offered to foreign workers.

This would remove the question of the guaranty, it would remove the transportation payments, it would remove the health payments, it would remove the requirements for lodging. But it would provide that domestic workers could not be worked more hours a week or at lower wages an hour than apply to foreign workers.

Mr. ELLENDER. I may state to my distinguished friend that I do not have any objection to the language he has suggested, if it is agreeable to my good friend from Minnesota. It strikes me that it is already covered in the bill, so in my opinion it would be duplication, but if it will satisfy the Senator from Minnesota, I have no objection to the amendment as modified by the language suggested by the distinguished Senator from Illinois.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HOLLAND. In announcing that he will be satisfied with the modified wording, the Senator from Louisiana does not propose to enlarge the requirements placed upon the individual farmer in any way, does he?

Mr. ELLENDER. No, indeed.

Mr. HOLLAND. In other words, the Senator does not propose to substitute new and required activities by the farmer for the activities now performed by the employment service?

Mr. ELLENDER. No. It would simply provide that the domestic worker is offered the same minimum wages and standard hours of work as is given the

Mexican under the individual work contract.

Mr. DOUGLAS. And wages per hour.

Mr. ELLENDER. Yes.

Mr. HUMPHREY. Mr. President, I am more than happy to accept the modification proposed by the Senator from Illinois. I think it clarifies and details what is the intent of the Senator from Louisiana. I want that clarification, I want that detailed outlining, because if there is one field of employment where all the skulduggery in the world has ever been worked, it is in this field of labor supply in the vast stretches of our land. I merely want to see the people of our own Nation given a fair chance to make a living. I am surprised to find that the Government of Mexico can extort from us more protection for their people than we give to our own people. I am glad we have this amendment perfected. I merely wanted to say a word for citizens of the United States, and at the same time pay tribute to the Republic of Mexico.

The PRESIDING OFFICER. The amendment, as modified, will be stated.

The LEGISLATIVE CLERK. On page 4, line 18, it is proposed to strike out the period and insert a comma and the following: "(and (3) reasonable efforts have been made to attract American workers for such employment at wages and standard hours of employment—"

Mr. DOUGLAS. It should read "standard hours of work."

The LEGISLATIVE CLERK. "Standard hours of work comparable to those offered to foreign workers."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. HUMPHREY], as modified.

Mr. HUMPHREY. Mr. President, one moment. Is the word "American" changed to "domestic"?

The PRESIDING OFFICER. No.

Mr. HUMPHREY. I believe the Senator from Illinois changed the word "American" to "domestic."

Mr. DOUGLAS. In the copy I have the word "American" had been eliminated, and the word "domestic" had been inserted.

Mr. HUMPHREY. That is the way it ought to be.

Mr. ELLENDER. That is correct.

Mr. DOUGLAS. It should read "domestic" workers.

The PRESIDING OFFICER. Does the Senator further modify his amendment accordingly?

Mr. DOUGLAS. I further modify the amendment by striking out the word "American" and substituting the word "domestic."

The PRESIDING OFFICER. The amendment is modified accordingly. Without objection, the amendment, as modified, is agreed to.

Mr. HUMPHREY. Mr. President, I now call up my amendment 4-27-51—B.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 6, it is proposed to strike the semicolon and add the following: "to be employed at a wage no less than the current prevailing wage rate for the crop and area."

Mr. HUMPHREY. Mr. President, I do not believe the amendment needs any explanation. It is almost within the text or pattern of the amendment the Senate has just adopted. But I understand the Senator from Louisiana to have said that the workers are protected by the agreement made with the Republic of Mexico. Again, since that is in the agreements which are based on the negotiation at Mexico City, I am merely one of those who would like to see it spelled out in statutory law.

So the purpose, which is self-evident, is that farm workers, both domestic and foreign, are to be employed at wages not less than those prevailing in the area for the particular crop. In this connection we are not talking about factory labor or skilled labor, but we are talking about the prevailing rate of wages paid for labor on a particular crop in a particular area. The amendment is very specific and clear; it merely provides that there shall be equality as between foreign and domestic farm workers, in respect to the wage rate; and in respect to the foreign farm workers, the amendment relates only to Mexican farm workers.

Mr. ELLENDER. Mr. President, again I hesitate to take issue with my good friend, the Senator from Minnesota. However, as I pointed out during the debate a few days ago, the contract which at the present time is entered into between the employer and the Mexican laborer provides for the payment of the prevailing wage as a minimum wage. It often happens that the wage is fixed in the contract itself; that is, it is written into the contract.

I fear that if the amendment of the distinguished Senator from Minnesota is adopted, it will mean that a great deal of red tape will be involved in connection with determining what that rate is and in determining the extent of the area which must be taken into consideration in fixing the wage rate.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. YOUNG. Yes, I wish to ask a question.

Mr. ELLENDER. Very well; I yield.

Mr. YOUNG. Would not it be almost impossible to determine what the wage should be? In a given community tractor drivers might be receiving a very high wage, whereas workers in other types of farm work might be working under quite different wage scales. So it seems to me it would be almost impossible to determine the average wage.

Mr. ELLENDER. I would not say it would be impossible to determine it, but that determination would entail a great deal of red tape.

At the present time a canvass is made in a locality to determine what the prevailing wage is for farm workers. After that is determined, it is certified by the United States Employment Service as the prevailing wage, and that wage is written into the contract itself, as a rule.

I say it is important for us to pursue the method which is now in effect, for the reason that under the terms of this

bill the United States government, acting through the Department of Labor, will guarantee payment of that wage to the employee. Since payment will be guaranteed and since the contract will be entered into between the employee and the employer, it will be an easy matter to determine what amount is due the Mexican worker from the employer; and therefore, in case of controversy, the amount due the worker will be known then and there, by means of the terms of the contract itself.

Mr. HUMPHREY. Mr. President, will the Senator yield at this point?

Mr. ELLENDER. I yield.

Mr. HUMPHREY. I recognize that Senator has made a very clear explanation of the contractual relationships which exist between the employer and the employee. I also recognize that under the terms of the agreement with the Republic of Mexico, the Government of the United States has taken on certain obligations for the fulfillment of the contract. However, as yet I have not seen a copy of the over-all printed agreement. Has the Senator put one into the RECORD?

Mr. ELLENDER. No; I have not yet done so, but I intend to.

Mr. HUMPHREY. I am sure it will be placed in the RECORD before the end of this debate.

Mr. ELLENDER. Yes.

Mr. HUMPHREY. If the Government of the United States assumes the obligation of seeing that the prevailing wages are paid under the contractual relationships, in accordance with the law of the land—which will be respected by all law-abiding citizens—it will be just that much easier for law-abiding citizens to make contracts that are to be fulfilled on the basis of the prevailing wage. In other words, the Senator from Louisiana is predicating his case on the contractual relationship between the employer and the employee; but what I am predicating my case on, in terms of the wage standards for a particular crop area and for a particular crop, is statutory law.

I am just foolish enough to believe that statutory law is more impressive and is more likely to be lived up to, or is likely to be lived up to a little better, than a contractual relationship between a Mexican employee who is a farm worker and an American employer.

I gather that there is very little difference, if any, between our objectives, because I know that the Senator from Louisiana wishes to have included in this measure every bit of protection which possibly can be included in it for the Mexican worker as well as for the American worker and the American employer. Since there is so little difference between our objectives, I submit to the Senator from Louisiana the fact that if such a provision is enacted into law, it will be a better guaranty of a sounder wage structure in a particular area and for a particular crop than will the precarious type of contract which may be reached between an employer and an employee who is a Mexican national.

I wish the Senator would give this very serious consideration, because this has a great effect upon the American domestic

labor market, and has a great effect upon the individual worker who comes into our country from beyond our borders.

Mr. ELLENDER. I am convinced that the committee had that very argument in mind when we considered this bill. I repeat what I have often said, that under section 503, I am satisfied that the domestic worker is amply protected.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Florida as much time as he desires.

Mr. HOLLAND. Mr. President, I do not care to speak on this matter at length, but I do think that the adoption of this amendment would bring an additional trouble-making factor into the picture. I hope that the Senator from Minnesota will follow me carefully on this. I call to his attention the fact that it is not in the place where he proposes to put this amendment, but in section 503, on page 4, that this particular objective is cared for; and it is cared for in a much more adequate way and in a much clearer way than would be done through this amendment. I call his attention to the fact that section 503 provides that—

No workers recruited under this title shall be available for employment in any area unless the director of State employment security for such area—

This has been changed, of course, as to the officer who makes the determination—

has determined and certified that (1) sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed, and (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed.

However, I think that, if placed in the bill at the place where the Senator's amendment is proposed to place it, there will be brought into the bill an entirely new concept; that is, the definition of "areas," a word which is not at all defined in the bill, whereas the section from which I have read, section 503, makes it very clear that it is the very time and place where the work is to be performed that governs.

I am not familiar with the Mexican labor problem, but I am familiar with the use of Bahaman and Jamaican labor, and if the Senator will bear with me, I should like to give him this fact, which I am sure applies in greater or less degree in other areas of the country. We have on the east coast of Florida certain areas, for instance, the Miami vicinity, where labor brought in from the Bahamas, which is employed on our farms, has to be paid more money than would be paid 25 or 50 miles away from there, because it competes very definitely with the very highly paid labor which works in the tourist resorts, whereas, if it were 40 or 50 miles away from those tourist centers, in a place that very conceivably might be held by the Labor Department to be the same area, there is a different situation entirely and a different scale of pay. It is for that reason that I think the wording already included in bill, in

section 503, is much the more acceptable, because it provides that it is the rate of pay at the time and place where the work is to be performed that shall govern and I think it is much better cared for there.

I call to the attention of the Senator and of the Senate the fact that we have repeatedly had trouble from administrators of these labor measures, in the definition of "area." We have had it under the Wages and Hours Act. The Senator from Florida brought, as he understands, the first litigation which was brought under the "area of production" regulation, a regulation which was put out by the wage-and-hour department; and the Senator will remember that that term "area of production" has been in conflict and confusion ever since the act was passed.

Only recently the Senator from Florida has had a similar experience. We have a branch of the Department of Labor—with which the Senator from Florida is not finding fault at this time, but is simply using as an illustration—in connection with the determination of what are the standard rates paid to journeymen carpenters in a certain area, and the Department has included within the area not only the highly urbanized area of Miami but for many miles up the coast, so as to bring about a result which is not at all in accord with the facts, that the same standards are applied in a small community, 50 or 75 miles away, as those which apply in to urban area.

The Senator from Florida hopes that no double standard will be written into the bill in this way, but that instead, the very words, which have been approved of by the officials who have drawn this bill, will be left to fix the standard against which this particular bill will be measured.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield to the Senator from North Dakota.

Mr. LANGER. Can the Senator tell me how many Mexicans are fighting in Korea?

Mr. HOLLAND. I am not able to say. I may say that I am not familiar with the Mexican problem, and I may remind the Senator that I have repeatedly said in the course of this debate that the average foreign worker employed in the eastern part of the United States, and the governments representing the workers who come in—that is, workers from the Bahamas and from Jamaica—as is known to the Senator from Florida, and, as he understands, also, with respect to those who come in from Canada, though this is not known to him personally, they prefer not to have any regulation or control, because the farmers are paying the cost themselves, and they are working along in complete unity with each other, and they prefer to have that type of handling, so I am not able to answer the question of the Senator from North Dakota.

Mr. LANGER. I am not a member of the Committee on Agriculture and Forestry, but it seems to me that our farm boys are being taken and sent to Korea, after which the Department of Labor

certifies that there is a labor shortage in the United States, and, therefore, Mexicans are brought in to take the places of the farm boys who are fighting in Korea. As a matter of fact, the Mexicans have no quota—at least, they are filling no quota in the United Nations in Korea, at all. I ask my friend whether that is not true.

Mr. HOLLAND. I am not able to state as of this time, but during the period of World War II, at which time the Senator from Florida was at the head of the administration of selective service in his own State of Florida, the matter was left to the local selective-service boards to exempt agricultural laborers on the basis of whether they were needed by the Nation to remain in production; and I may say to the Senator that it is the understanding of the Senator from Florida that this measure helps to hold up the hands not only of our boys who are fighting in Korea, but of our Armed Forces wherever they are, and of our Allies, who are looking to us for heavier food production, to make it very sure that there will not be a deficiency of workmen on the farm.

In conclusion, because I intended to be heard only briefly, I want to remind every Senator that the local labor is always most satisfactory and cheapest in the long run, which is easiest to work with, which speaks the same language as the employer. There is a particularly personal and friendly relation as a rule which applies on the farm, which is not expected in industrial relations, between employer and employee, and it is simply idle to talk about bringing in these outside people, unless there is a real need for them, and, even though I think it is hardly needed, there is a safeguard provided by the law itself, that there must be a certificate from a branch of the United States Government entrusted with the responsibility of looking into it, that, at the time and place—at the very time and place, and for that particular crop, because conditions may vary with different crops even in the same place and at the same time, that there is a shortage of labor, and that the shortage must be supplied from and furnished by a source outside the Nation.

I hope the Senator will not insist upon his amendment, because I sincerely feel that to do so would bring a dual standard into the act, which will make for greater confusion and difficulty.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. HUMPHREY. Mr. President, I wonder whether the Senator would accept the word "place" instead of the word "area." I recognized the difficulty that we have had under the "area" definition, or a definition of what is known as an "economic or employment area."

Mr. HOLLAND. The Senator from Florida feels that, if the amendment is to be used, it should be used exactly in the same words as it appears in section 503; but, if so used, he thinks there would not be any improvement of the act, because it is section 503 which is applicable to this particular provision. If the Senator wants to restate those

words and put the language in the amendment—

Mr. HUMPHREY. No.

Mr. HOLLAND. The Senator from Florida would then have no objection; but he calls attention to the fact that it then becomes duplication and reiteration, and it is meaningless, though, after all, that is much preferable to having confusion, and to having two terms in the bill which might and very probably would be construed as meaning different things, or be construed by different administrative employees as meaning different things. So the Senator from Florida hopes that his friend, the Senator from Minnesota, will not insist upon his amendment.

Mr. HUMPHREY. I should like to invite the Senator's attention to the language of section 503, to which he refers, and which particularly affects the amendment of the Senator from Minnesota. The language says:

The employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed.

In other words, the language there means that the wages and working conditions of domestic workers shall not be pushed down. The language of the amendment of the Senator from Minnesota takes into consideration the fact that there are certain established prevailing wages in a community; that there are some people who pay less than the prevailing wage in the community, and there are always some who are getting very rich at the expense of someone else. The language of the amendment of the Senator from Minnesota says that no contracts may be arrived at or entered into which do not at least pay the prevailing wage for a particular group, in a particular place. I think that is a very important provision, because I do not think we ought to permit contracts with foreign labor to implement the downward pressures on domestic labor standards in a particular area.

Mr. HOLLAND. I may say to the Senator from Minnesota that, though I have no experience with Mexican labor, I have learned from actual experience with imported labor and our domestic labor that there is no fixed standard, but that the standard tends to change from time to time during the season. If the price for citrus fruit goes up very heavily, the workers find it out and insist on having a little greater share for their labor. If the prices of vegetables in the Lake Okechobee area go up, the same thing takes place. From week to week there will be variations in a particular season and place. So, it seems to the Senator from Florida that it is a much sounder course to leave in the act the wording which is already there.

I may say that while I have been speaking, the Senator from Louisiana has handed me an individual work contract which I understand he will insert in the RECORD. I notice that it is in two languages, both English and Spanish. He may want to insert it only in its English version. Section 4 deals with the payment of wages. I have not had a chance to read it, but, with the approval

of the Senator from Minnesota, I shall read it into the RECORD. This is a provision incorporated in the actual contract:

4. Payment of wages. The employer shall pay the worker the prevailing wage rate paid to domestic agricultural workers for similar work and in the manner paid within the area of employment, or the rate specified on the last page of this contract, whichever is the greater. Where higher wages are paid for specialized tasks, such as the operation of vehicles or machinery, Mexican workers shall be paid such wages while assigned to such tasks.

That is an excerpt taken from the contract existing between the Mexican Government and the American Government and to be made applicable to individual Mexican employees.

Mr. HUMPHREY. Does that apply to every single contract that may be entered into?

Mr. ELLENDER. Yes.

Mr. HUMPHREY. It is enforceable by the United States Department of Labor?

Mr. ELLENDER. Yes.

Mr. HUMPHREY. In the present situation?

Mr. ELLENDER. Yes. It can be modified if both Governments agree to it, but I am satisfied that the Mexican Government will insist on writing into the new contract the same provisions that were contained in the former contract. I want to say to the Senator that during the hearings in Mexico City we went over parts of the proposed contract, and they insisted on putting into the new contract the same clause.

Mr. HUMPHREY. The Senator from Minnesota is likewise insistent, since there is an opportunity for a quick exit from the agreement, since there is an opportunity for modification, that in this proposed legislation, which will soon become law, we write the requirement of prevailing wages for the crop and in the area or the place involved, because it is perfectly obvious that this is not at the present time stamped, sealed, and delivered; it is still in the stage of negotiation. There is still an opportunity for some modification or change.

Mr. ELLENDER. The Senator realizes that if in the future the terms of the contract on this point are modified by agreement between the two countries, we shall have to change the law. I am insisting that we not incorporate the provisions of the contract into the law. Let the contract be handled in the same manner as it has been handled in the past.

Mr. HUMPHREY. I know the Senator from Louisiana must feel that I am being a little bit stubborn on these issues, and I think I owe him an explanation. If there has ever been one area of American employment which has been subjected to a complete exposé in the past year or two, it has been in the field of domestic and foreign labor in American agriculture. I have read in Look magazine an exposé that should make every American ashamed.

Mr. ELLENDER. That was on the wetback problem, was it not?

Mr. HUMPHREY. Yes. I have read in the New York Times and in news-

papers on the West Coast articles which have exposed things that have been going on in the San Joaquin Valley. The President's Commission on Migratory Labor has given us a great deal of information. The Senator from Minnesota has put up this little effort today for a reason. I digress to say that it does not primarily affect my own State. Everyone knows that the bulk of the migratory labor does not go to the family-size farm. It does not go to Grandpa and Grandma who are raising a few cattle and chickens, and trying to make a living on a small farm. Migratory labor goes to the big fruit and vegetable farms, the big commercial farms, which are a repudiation of the family-size farms. They go to commercial farming areas in the Imperial Valley in California, and in other places.

So, Mr. President, I am a little bit suspicious. I cannot believe that it is all so lovely when I know that the migratory workers who come into our country, and also our own migratory workers, will have the most miserable working conditions. They live under the worst conditions. Without reference to my home State, in which there is a very decent standard of living and where we take good care of persons who work on the farms, and in the factories, the junior Senator from Minnesota just happens to feel that after all the exposé that has been made about traffic in human misery, I owe it to my conscience and to the Congress to try to put up a little struggle to make this bill a better one. When I see the words "prevailing wages in a particular crop and a particular area," I say to myself, "What can be wrong about that? If it is in the contract, let us put it into the law, because it is already patently clear that it may not be in the contract." There are some very shrewd operators in this country when it comes to making a quick and fancy dollar off someone's labor. The junior Senator from Minnesota wants to make sure that the operators who have never been an honor to American agriculture, but are exploiters of the soil and exploiters of humanity, will not be given a chance to exploit with congressional sanction. I am suspicious of those people; I make no bones about that. I think their record up to this time condemns them as having trafficked in human misery.

Mr. President, I want to pay my compliments to the Senator from New Mexico [Mr. CHAVEZ] who made a brilliant fight on the floor with reference to the whole problem. He went further than I have gone. I say the bill is an improvement over what we had, and for that reason I commend the chairman of the committee. But when there has been a record of trafficking in human-kind, when there has been a record as bad as that which we have had in terms of migratory labor, the Congress cannot be too careful.

I have other amendments. I shall not call them up, because I recognize the fact that many of them will not be agreed to, and I do not want to engage in a fruitless search for an extra vote just to have another chance to make

another 10- or 15-minute talk on an amendment. But, as the chairman of the Subcommittee on Labor Management and Relationships—and the Committee on Agriculture and Forestry had a perfect right to go into it, so far as it, applied to Mexican workers—I know the migratory labor supply needs to be checked thoroughly, not only in terms of the law, but in terms of conscience, in terms of fair play for fellow Americans.

So, Mr. President, I relieve the tension of my friends and associates by saying that I shall not bring up any more amendments. I have several more at hand. I merely want to say that they were discussed in my minority views. I think they make sense. I hope the Secretary of Labor will administer the law on the basis of some examination of the need; and I commend the reading of the minority views to the Senators who are going to cast their vote on this important bill.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. HOLLAND. Will the Senator be agreeable to inserting in place of the word "area" the words "at the time and place where the work is to be performed"?

Mr. HUMPHREY. Yes; I accept that modification. I wish to thank the Senator from Florida. I think it is very appropriate.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Minnesota, as modified.

Mr. ELLENDER. Mr. President, may the amendment as modified be stated?

The PRESIDING OFFICER. The clerk will state the amendment as modified.

The CHIEF CLERK. On page 2, line 6, it is proposed to strike out the semicolon, and add the following: "to be employed at a wage no less than the current prevailing rate for the crop at the time and place where the work is to be performed."

Mr. HUMPHREY. Mr. President, I want to thank the Senator from Florida, who has been a great help in making this a better bill.

Mr. HOLLAND. I appreciate the words of the Senator. So far as Florida is concerned, there is not a single Mexican laborer, so far as he knows, that comes there. But we want the bill to be a sound one.

Mr. HUMPHREY. With the legal talent and the fine spirit of justice and fair play possessed by the Senator from Florida and my friend the Senator from New Mexico, and the Senator from Illinois, who have worked to make this bill a better bill, along with the firm but temperate judgment and resistance, at times, of the Senator from Louisiana, who has had the responsibility for the bill, and with my pushing and shoving, I think we have done fairly well, and I want to thank my friends.

Mr. WHERRY. Mr. President, after that eulogy, may the clerk again read the amendment?

Mr. HUMPHREY. Mr. President, I meant to commend the Senator from Nebraska, too; I really did.

Mr. WHERRY. I thank the Senator.

The PRESIDING OFFICER. Everyone has now been commending. Does the Senator from Minnesota yield time to the Senator from Nebraska?

Mr. WHERRY. Mr. President, I merely ask that the amendment be read again.

The PRESIDING OFFICER. The clerk will again state the amendment, as modified.

The LEGISLATIVE CLERK. On page 2, line 6, it is proposed to strike the semicolon and add the following: "to be employed at a wage no less than the current prevailing wage rate for the crop at the time and place where the work is to be performed."

Mr. ELLENDER. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. ELLENDER. I should like to take at this time 1 minute of the time allotted to me on the bill itself. I am entitled to do that.

Mr. HUMPHREY. Mr. President, are we to vote on the amendment?

Mr. ELLENDER. Yes. First I desire to say, on behalf of the committee, that I shall oppose the amendment as modified. As I tried to indicate a moment ago, the contracts entered into between employers in our country and employees from Mexico requires that the prevailing wage shall be paid as a minimum. Furthermore, it often happens that in most cases the actual wage is fixed in the contracts themselves. When it comes to an interpretation of a contract in order to determine how much liability exists as between an employer and a worker, all that is necessary is to consult the contract. It is not necessary to go into questions which must be determined by public hearings.

Mr. President, I ask the Senate to reject the amendment for the further reason that if in the future it should be necessary in any way to modify the present contract, particularly with reference to wages, it would be necessary to amend the law itself so as to permit future agreements to be entered into between our Government and the Government of Mexico. I plead with Senators not to attempt to write parts of the individual work contract into law.

Mr. WHERRY. Is there any more time remaining?

The PRESIDING OFFICER. All time for debate has expired.

Mr. WHERRY. Mr. President, will the Senator from Louisiana yield for a question?

Mr. ELLENDER. I yield.

Mr. WHERRY. In the past, the provisions of contracts have been followed.

Mr. ELLENDER. Yes. In other words, the manner of obtaining Mexican labor was by contract, the terms of which are agreed upon by our Government and the Mexican Government. All the terms and conditions were written into the contracts.

Mr. WHERRY. The advice of the Secretary of Labor was obtained in the writing of the contracts, was it not?

Mr. ELLENDER. Yes, but the reason for the offering of the amendment of my friend from Minnesota is an effort to protect our domestic labor.

Mr. WHERRY. I am in favor of that.

Mr. ELLENDER. But I say that we have already done so under section 503.

Mr. WHERRY. If section 503 does it, why is it necessary to adopt the pending amendment?

Mr. ELLENDER. It is not necessary to do so.

That is why I am asking the Senate not to adopt the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Minnesota, as modified.

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, before the bill is finally passed, as I assume it will be, on behalf of the junior Senator from New York [Mr. LEHMAN] I should like to ask unanimous consent to have printed in the RECORD at this point the text of an amendment which he had intended to offer if he had been present, as well as a statement which he had prepared pertaining to the proposed amendment.

There being no objection, the amendment intended to be proposed by the Senator from New York and an explanatory statement were ordered to be printed in the RECORD, as follows:

AMENDMENT INTENDED TO BE PROPOSED BY MR. LEHMAN TO THE BILL (S. 984) TO AMEND THE AGRICULTURAL ACT OF 1949

On page 2, after the comma in line 2, insert the words "or from Puerto Rico or Hawaii."

On page 3, lines 22 and 23, strike out the words "in amounts not to exceed \$20 per worker."

On page 4, line 24, after the word "Mexico", insert the words "in the case of workers from Mexico."

STATEMENT BY SENATOR LEHMAN ON HIS AMENDMENT TO EXTEND THE FARM LABOR BILL TO COVER AGRICULTURAL WORKERS FROM PUERTO RICO AND HAWAII

The amendment which I had intended to propose had I been present in the Senate when amendments to the Farm Labor bill were being considered is designed to make sure that the many thousands of agricultural workers who are recruited and brought from Puerto Rico and Hawaii to work in the fields of the continental United States in seasonal agricultural work receive the same protection as that provided by the bill in the case of workers recruited in and brought from the Republic of Mexico. This is necessary in order to protect the wages and living standards of these workers. It is also essential to protect the wages and living conditions of local workers and to prevent unfair competitive disadvantages against the employers of such local workers.

What are the effects of my amendment? The first is that a field of useful employment will be opened up to the very large numbers of unemployed, particularly in Puerto Rico. As I pointed out in my statement to the Senate on April 27:

"There is great unemployment in Puerto Rico. There are great numbers of people on that island, which is part of the United States, who are qualified as expert farm laborers. The Federal Government contributes heavily in relief money and other Federal grants-in-aid to assist Puerto Rico

to take care of these unemployed farm workers. It would seem to be the height of sound fiscal practice, as well as sound social practice, to bring Puerto Rican workers here to supply the need rather than to bring workers in from Mexico. I mean, of course, no reflection on Mexico or on the necessity of maintaining the closest of neighborly relations with that country. This, however, is not a problem in foreign relations, but a problem in agriculture and in labor conditions in our own country, including Puerto Rico."

If my amendment is agreed to, agricultural workers from Puerto Rico and Hawaii will have the benefit of the reception centers to be established within the continental United States where they could be housed while arrangements are being made for their employment in the continental United States. Costs of transportation for these workers to these reception centers and from the centers back to their homes upon the termination of their employment would be paid by the Government, with the employer reimbursing the Government for part of such cost. Subsistence, emergency medical care and burial expense, during the period of time when they are being transported to reception centers and while at the centers would also be provided.

Of particular importance, in my opinion, is the provision under which these workers would receive assistance in negotiation for contracts for agricultural employment. They would not have to rely as they frequently do at the present time, on their own individual bargaining, but would have the assistance of the appropriate governmental agencies, just as would Mexican workers under the provisions of the bill. The Government would be required to guarantee that Puerto Rican and Hawaiian workers receive the wages and transportation to which they are entitled under their contracts of employment.

There is need for this amendment, it seems to me, because the conditions of employment of these workers in agricultural employment in the United States are in most respects similar to those under which Mexican workers are employed under the provisions of the bill. In fact, there is special need to make sure that these workers are protected since they, unlike the Mexican workers, are citizens of the United States and consideration of their welfare should come first.

I should like to point out that the effect of my amendment is limited to agricultural workers recruited from Puerto Rico and the Virgin Islands. The Senator from New Mexico [Mr. CHAVEZ] has an amendment which would extend this bill to farm workers in the continental United States as well. While I agree with the Senator from New Mexico in the objective he seeks to accomplish—namely, to assure decent working conditions to all our migratory farm workers, domestic as well as foreign—my own amendment has a more modest purpose. Whatever one may think our policy should be when it comes to legislating fair labor standards for farm workers—and I believe that sooner or later we will have to come to grips with this problem, just as we have in the case of workers employed in our interstate industries and commerce—few can deny, I believe, that workers who come from Puerto Rico and Hawaii to work in our fields and help us harvest our crops, should have the same protection that would be extended by this bill to Mexican workers who are brought into the United States for the same purpose.

The amendment is of particular interest to employers of agricultural labor in the State which I represent, and in other sections of the East and far West. In my opinion, it is a very necessary one, and I strongly urge the Senate to agree to its adoption.

Mr. DOUGLAS. Mr. President, on behalf of the Senator from New Mexico

[Mr. CHAVEZ], I also ask unanimous consent to have printed in the body of the RECORD a group of letters addressed to him and one letter addressed to the Senator from New York [Mr. LEHMAN], as well as one article from the Albuquerque Journal of May 3, relating to the debate on Senate bill 984.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

NEW MEXICO STATE FEDERATION OF LABOR,
Santa Fe, N. Mex., May 5, 1951.

HON. DENNIS CHAVEZ,
Senator from New Mexico,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: Enclosed is a copy of letters sent to New Mexico Representatives DEMPSEY and FERNANDEZ.

You have our wires stating our thinking and position on Senate bill 984. Would you please give study to this letter as it gives more detail of our thinking in this matter.

We will appreciate your assistance and passage of favorable amendments to Senate bill 984 and House bill 3283, the Poage bill, which will secure employment for American citizens before the importation of aliens is resorted to.

Sincerely yours,

W. S. ROBERTS,
Secretary-Treasurer, New Mexico
State Federation of Labor.

MAY 5, 1951.

HON. JOHN J. DEMPSEY,
House of Representatives,
Washington, D. C.

DEAR SIR: The affiliate members of the New Mexico State Federation of Labor, A. F. of L., are opposed to Senate bill No. 984, introduced by Senator ELLENDER, of Louisiana, and H. R. No. 3283, the Poage bill, in their original form.

Our information is that amendments have been made to these bills to permit employment of American citizens instead of Mexican nationals on farm jobs at fair wages and conditions of employment.

We would appreciate your study, consideration, and vote in favor of the amendments which will call for exhausting the supply of labor we have in our country at fair wages and conditions of employment before any importation of labor from outside the continental limits is called for.

Our investigation in the States of New Mexico and Texas reveals that there is a large supply of farm labor available if the above-mentioned conditions are met. Also our investigation shows that these people imported are exploited by the imposition of low wages, high cost of commissary supplies, poor housing conditions, and limitations of work. And further, many of these people leave the farms illegally and infiltrate into other crafts, trade, and industries throughout the United States, which is injurious to the welfare of the laboring people in the United States of America.

We suggest that a complete survey be made in all the urban and rural districts in all States, and laboring people in these districts be contacted through sources available and a program be submitted to them by the farmers calling for fair wages and conditions of employment in the agricultural industry and provisions be made to make these workers mobile for transfer from district to district, State to State when needed.

The immobile seasonable farm worker has become a blight on the State, county, and cities in the Southwest—living in squalor and deplorable conditions injurious to the health, moral, and general welfare of our communities.

This worker is the forgotten citizen. Importation of aliens is not the solution to the problem. This is a notice to other countries

that in our own country there are not sufficient people who will degrade themselves to work for such wages and under such conditions of employment. However, our Government believes or knows that our neighbors to the south will be glad to accept substandard wages and our farmers are glad to offer these conditions. And our Government is a party to this exploitation.

It is evident with farm prices set, a better standard of wages can be absorbed into farm production cost, the same as in any other enterprise, and thus remedy this situation.

The New Mexico Employment Security Commission reports employment on the increase. However, thousands of workers are registered for employment for suitable work in this State and millions of others throughout the United States of America.

Thanking you for any assistance given in this matter, I am,

Sincerely yours,

W. S. ROBERTS,
Secretary-Treasurer, New Mexico
State Federation of Labor.

LOVING, N. MEX., April 10, 1951.

HON. DENNIS CHAVEZ,
Senate Office Building,
Washington, D. C.

DEAR SENATOR CHAVEZ: Herewith you will find enclosed several clippings of statements made by the Honorable President of our land, Mr. Truman.

Senator, just a few words to urge that you oppose the importation of farm laborers, for the reason that they come and work for lower wages and, furthermore, are a constant threat to the natives. The worst part of it is that the farmers treat them like the lowest possible type of people.

I have read many contracts signed by some of these workers wherein they are promised all kinds of facilities, all of which are false. There have been cases where they have been given water from the Pecos River which you know is very salty. And the most they have slept in on wintry days is the harvesting sacks which is all they possess. Also, among the immigration agents there are many who are cruel to these poor people.

Well, Senator, if you want the names of those farmers, I will be happy to send them at the moment you so request. And this is the time to do something to correct this situation, for it is now rumored here in the Pecos Valley that they are again seeking foreign workers because they are willing to work for less money. This was told to me on the 9th of April by a planter.

Awaiting your reply, I am,

Sincerely yours,

MARCELINO HERNANDEZ.

ALBUQUERQUE, N. MEX.,
April 28, 1951.

HON. DENNIS CHAVEZ,
United States Senate,
Washington, D. C.

DEAR SENATOR CHAVEZ: Allow me to congratulate you on your vigorous opposition to the importation of temporary farm laborers from Mexico.

It is impossible to improve the lot of the large segment of Spanish-speaking Americans who make their livelihood from farm labor as long as these temporary workers are allowed to be exploited.

I have seen the viciousness of such a practice in New Mexico and Texas. It takes its worst form in the cotton fields. The contracts spoken about are absolutely meaningless. The employers and their supervisors cheat these illiterate people at the scales and at the pay table. In the case of the large farms you speak of, charge accounts for food are padded and exorbitant prices charged for food.

I will be ready to give of my time and effort when you come up for reelection in 1952.

Sincerely yours,

VICENTE T. XIMENES, *Economist*.

AMERICAN FEDERATION OF THE
PHYSICALLY HANDICAPPED, INC.,
Washington, D. C., May 5, 1951.

HON. DENNIS CHAVEZ,
United States Senate,
Washington, D. C.

DEAR SENATOR CHAVEZ: Any citizen, deeply concerned with the necessity of seeing to it that our own citizens are given first opportunity for employment prior to bringing in nationals of other countries, could do no other than approve and applaud your battle on the wetback issue.

I congratulate you with all my heart and hope you win.

Sincerely,

PAUL A. STRACHAN, *President*.

EASTERN SUFFOLK COOPERATIVE, INC.,
Greenport, N. Y., April 19, 1951.

HON. HERBERT H. LEHMAN,
United States Senate,
Washington, D. C.

DEAR SENATOR LEHMAN: On April 9, in response to a recent inquiry I made of Commander Edelstein pertaining to farm labor, he wrote giving me the present status of certain farm-labor measures now before the Congress, also enclosing copies of the Chavez-Yorty and Ellender-Poage bills and copy of your letter dated March 15 to Senator CHAVEZ.

Today we had a meeting of our board of directors at which time we carefully considered the Chavez and Ellender bills and other data which Commander Edelstein so considerately sent along. Without exception or dissent, we fully subscribe to all of your recommendations set forth in your letter of March 15 to Senator CHAVEZ. We strongly favor the Chavez bill and just as strongly oppose the Ellender bill. It appears, even on the first reading, that Senator CHAVEZ thoroughly understands the subject matter not only from the employers' angle but also from the employees'—equal protection is afforded to all concerned.

During World War II we established two camps. In one we housed migrant labor from the South and in the other, Jamaicans and other West Indian British subjects. One year, in this camp, we housed Mexicans. Since the war we have continued to house southern migrants in the one camp and DP's or Puerto Ricans in the other camp. At all times we have satisfactorily met all Federal, State, and local regulations pertinent to migrant or foreign workers. I might add that the records will show that the Eastern Suffolk Cooperative enjoys the finest reputation of any similar organization in the State of New York.

Speaking from experience, the Chavez bill incorporates all of the provisions and regulations to which we were subject during World War II, to which we are accustomed and in which we find no hardship or objection. We have always paid our migrant and foreign workers the prevailing wage rates established in our community and will continue to do so in the future.

On behalf of the entire membership of the Eastern Suffolk Cooperative, I urge you, in no uncertain terms, to do everything in your power to insure the passage of the Chavez bill and the defeat of the Ellender bill.

I thank you for your kind and considerate cooperation and assistance.

Yours very sincerely,

JOHN LASPIA,
Member, Board of Directors.

[From the Albuquerque Journal of May 3, 1951]

IN THE CAPITAL

(By Mel Mencher)

FOREIGN MIGRATORY LABOR BAN PLAN INTERESTS
STATE

SANTA FE, May 2.—The report of the President's Commission on Migratory Labor, which recommended a ban on the use of foreign labor until all American agricultural resources are tapped, has brought several outspoken responses from New Mexico sources, who are watching with keen interest the final form of a bill now being considered by Congress. It probably will be broader than the Commission recommended.

The cotton-growing areas in the State have attacked the Commission proposal as impractical and unrealistic. But union officials and the Catholic Church in this area have applauded the findings.

The Commission found that about 1,000,000 persons make up the migratory farm labor force in this country. Of this number, some 400,000 are Mexican nationals who have entered this country illegally to obtain farm work. Usually called wetbacks because many of them swim or wade through the Rio Grande to reach the United States, this large labor battalion was the source of the Commission's major objections.

The Commission concluded that these laborers are depressing the wage scale of American workers who are without jobs or forced to take low-paying work in order to meet the competition of the wetbacks. One Commission member, Archbishop Robert Lucey, of San Antonio, said an immediate decision is necessary since agricultural work is shot through with unemployment.

But officials in Eddy and Chaves Counties don't agree. They feel the cotton crops in New Mexico will rot on the ground unless the gates are opened to Mexican labor. The chairman of the Chaves County Farm Bureau's labor committee, E. K. Patterson, said:

"I don't know what we will do if we don't get Mexican workers into Chaves County. There aren't enough machines, and local and migrant labor is entirely inadequate."

Agreeing with this stand was the Eddy County farm agent, Dallas Rierson, who said that farmers in his area would be up against it unless the Mexican nationals are permitted to work in the region.

The problem of foreign labor is fairly recent. Until the war years changed manpower conditions in the country, migratory farm workers from the Midwest were used to harvest crops in areas that had seasonal work. But with the coming of the draft and higher wages in war industries, workers left the migratory labor force. To fill in this vacuum, southwestern farmers began importing Mexican nationals who in turn were pushed into migratory work by economic conditions in Mexico.

This tide started northward in 1942 and 1943. Nothing much was done to halt the wholesale illegal entry of Mexican nationals. This use of Mexican national labor continued during the war. At the war's end, when most people expected it to stop as workers returned to their prewar jobs, the wetback tide still continued.

New Mexico got its share, and it is still getting it. The late Federal district judge in New Mexico, Colin Neblett, described the early tide as a "bad situation." He said the 60 to 90 wetbacks he had in court every month probably represented only 10 percent of the number that actually crossed into the State. Neblett said the farmers told him that "they'll lose their crops unless they can hire these men."

Neblett's successor, Judge Carl Hatch, has inherited what he described recently as a "pitiful situation."

"The men need the work and the farmers claim they need the men," he said. He described the problem as "peculiar and difficult," and added that there "doesn't seem to be any progress in changing the situation."

For some reason, and Hatch said he had no idea of the cause, there have been far less wetbacks in his court so far this year as compared with similar periods in 1950. In March of this year arrests totaled 26. A year ago in March 81 were arrested and sentenced to the usual 30 days at the Federal prison farm near El Paso.

Abe Jones, the assistant State labor commissioner, has some criticisms of the use of wetbacks. He says that the State labor office is never consulted about the need for farm workers. Requests are made only to the Federal Employment Commission. This takes the problem out of the State's hands, and it also does not allow the State to exercise any control over hiring and working conditions.

He has in his files several complaints relayed to the State office from the Mexican consul that Mexican workers were arrested in this State and shipped back to Mexico before they were paid for their work. Jones says his office cannot do anything about collecting.

The President's Commission also found that in October some 150,000 children under 15 were engaged in migratory work. School population figures for this State in that month are considerably under the attendance totals for January and February, despite the existence in New Mexico of compulsory school laws.

Mr. DOUGLAS. Mr. President, I should like to congratulate the Senator from Louisiana [Mr. ELLENDER] for the very able way in which he has steered the bill and for the gracious manner in which he has accepted amendments. If he were of a different disposition, he might have resented some of the amendments which were offered. He has received them in a very gracious spirit. I believe the result is largely due to his fine work, and I wish to express my appreciation of it.

Mr. HUMPHREY. Mr. President, I associate myself with the remarks of the Senator from Illinois, because he has expressed exactly what I feel with reference to the chairman of the Committee on Agriculture and Forestry.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The question is on the final passage of the bill.

Mr. WHERRY. Mr. President, I believe I am in control of the time in opposition to the bill.

The PRESIDING OFFICER. That is correct.

Mr. LANGER. Mr. President, will the Senator from Nebraska yield me 10 minutes?

Mr. WHERRY. I yield 10 minutes to the Senator from North Dakota.

Mr. LANGER. Mr. President, a few moments ago the distinguished junior Senator from Minnesota said that he desired every Senator to read the minority views on the bill. I ask every farmer in the Northwest to read the minority views,

Therefore, Mr. President, I ask unanimous consent that the minority views be printed in full in the RECORD at this point in my remarks.

There being no objection, the minority views to accompany Senate bill 984 were ordered to be printed in the RECORD, as follows:

MINORITY VIEWS TO ACCOMPANY S. 984
(S. REPT. NO. 214)

This bill, S. 984, was favorably reported by the committee, after hearings, but before the issuance of the report of the President's Commission on Migratory Labor on April 7, 1951.

The President's Commission was created in June 1950 to inquire, among other matters, into—

(a) social, economic, health, and educational conditions among migratory workers, both alien and domestic, in the United States;

(b) problems created by the migration of workers, for temporary employment, into the United States, pursuant to the immigration laws or otherwise;

(c) whether sufficient numbers of local and migratory workers can be obtained from domestic sources to meet agricultural labor needs and, if not, the extent to which the temporary employment of foreign workers may be required to supplement the domestic labor supply.

The Commission held 12 public hearings in Brownsville, Tex.; El Paso, Tex.; Phoenix, Ariz.; Los Angeles, Calif.; Portland, Oreg.; Fort Collins, Colo.; Memphis, Tenn.; Saginaw, Mich.; Trenton, N. J.; West Palm Beach, Fla.; and two in Washington, D. C. The hearings comprised 26 volumes available to the public. The published report of the Commission comes to 128 pages.

The findings of the Commission bear directly upon the legislation under consideration.

There is no doubt but that it would be far preferable had the members of the committee and the Senate had opportunity to study the report of the Commission before voting and considering this bill.

The reason given for proceeding on this bill at this time is the urgency to enact legislation to enable importation of Mexican agricultural workers beyond June 31, 1951.

The minority, after considering this bill in the light of the Commission's report, believes that the problem of migratory labor is an interrelated one, and affects workers within the United States and in other countries as well. It should be studied in its broad ramifications and comprehensively rather than by piecemeal legislation such as this. The Committee on Labor and Public Welfare through its Subcommittee on Labor and Labor-Management Relations, and in accordance with the Legislative Reorganization Act, has now begun such a study with a view to legislation. The interests of the United States and of American workers would be best protected were the Congress to approach the problem of migratory labor in such a perspective. We would far prefer, therefore, to have this bill delayed until the Congress is prepared to consider and enact comprehensive manpower legislation.

Within the limits of S. 984 and its limited objectives, the minority, in the light of the Commission report, has certain modifications and amendments to present which are presented here in topical form.

The fundamental legislative assumption behind this bill is that an agricultural labor shortage exists which requires the immediate importation of foreign labor for its relief. The majority in describing the background of the legislation under consideration observes that—

"Throughout World War II and since the termination of hostilities, it has been neces-

sary to import agricultural workers from foreign countries in order to assist in the production of adequate supplies of food and fiber for domestic consumption in the United States and for export."

The report of the President's Commission bears this out, but the startling finding of the Commission in this matter is: "From 1945 through 1948, we employed a continuously larger hired labor force even though our work requirement (total man-hours) was gradually declining. In other words, we have been using more workers to achieve the same or slightly less work, and have thereby been reducing the work contribution per worker. This fact is strikingly reflected in the amount of employment received per hired farm worker:

<i>"Days of farm work per farm worker"</i>	
1946.....	113
1947.....	105
1948.....	104
1949.....	90"

The Commission comments, "The migratory worker gets so little work that for him employment is only incidental to unemployment."

It is the view of the President's Commission that the human resource in agriculture is used extravagantly. However, the Commission recognizes that more efficient utilization of agricultural labor will take time, that it cannot be expected to occur in a few weeks or months. Accordingly, it makes divergent recommendations with respect to the importation of foreign workers, one recommendation for the short-run and one recommendation for the long-run. For 1951, it recommends that "No special measures be adopted to increase the number of alien contract laborers beyond the number admitted in 1950." For the long-run it recommends that "Future efforts be directed toward supplying agricultural labor needs with our own workers and eliminating dependence on foreign labor."

The finding of the President's Commission with respect to the underutilization of agricultural manpower corroborates the research of the staff of the Joint Committee on the Economic Report which published its findings in a joint committee print, *Underemployment of Rural Families*, February 2, 1951. The staff of the Joint Committee on the Economic Report was concerned with farm workers as a whole rather than primarily migrant workers. Through analysis of five groups of low-income farm workers it reached the conclusion:

"If the workers in these five groups of rural families could be employed at jobs where they would produce as much as the average worker on the medium-sized commercial family farm or the average rural nonfarm worker, the production and output of rural people would be increased 20 to 25 percent. This is the equivalent of adding 2,500,000 workers to the total labor force."

If there is any justification to the bill, therefore, it is to meet an immediate, temporary need. Considered in the restricted terms in which its sponsor put forward the bill, certain further changes may be made in S. 984 to incorporate certain of the findings of the President's Commission. It is believed that proposed changes might usefully be considered against four broad criteria:

(1) That the Mexican importation program be carried out in such a manner as to minimize detriment to American workers.

(2) That devices be strengthened for assuring that both parties to the individual work contract—employer and employee—will live up to their agreements.

(3) That more effective measures be taken to meet the wetback problem.

(4) That the cost to the public of the Mexican importation program be kept to a minimum.

With respect to the first proposition, certain further changes in S. 984 suggest themselves. Section 503 of the committee bill provides that foreign workers may be made available where the Director of State Employment Security for the area of use has determined and certified that willing, able, and qualified domestic workers are not available for employment at the time and place needed.

In substituting the director of State employment for the United States Secretary of Labor, S. 984 makes an abrupt departure from past immigration policy. Under section 3 of the 1917 immigration law contract laborers are not admissible to the United States except under discretionary powers granted the Commissioner General of Immigration with the approval of the Secretary of Labor. In our view, it would be a step backward to change this and to call for certification by the State director of employment. In our American economy we have a national market. This is true of labor in the same way it is true of automobiles and radios. To propose State determination labor shortage is the same as to propose State autonomy in tariff matters. A labor shortage must be determined from a national perspective.

In order that all interested groups may have the opportunity of effectively expressing their views as to the need for foreign workers, it is proposed that the Secretary of Labor hold public hearings in areas of alleged labor shortage. In this way he may receive the advice of all interested parties.

Inasmuch as a labor supply is necessarily determined in terms of the attractiveness or unattractiveness of the employment offer, it is clearly impossible to know whether or not a shortage of domestic workers exists until domestic workers have been offered the terms and conditions of employment extended to foreign workers. It might at first be thought that domestic workers customarily were offered terms and conditions of employment comparable to those offered foreign and off-shore workers. The findings of the President's Commission in this matter is quite the opposite. The Commission observes: " * * * employers, as a rule, refuse to extend to * * * [domestic migratory workers] the guaranties they give to alien workers whom they import under contract. These include guaranties of employment, workmen's compensation, medical care, standards of sanitation, and payment of the cost of transportation."

We believe further protection should be given domestic workers under the Mexican importation program by adding the requirement, before certifying the need for foreign workers, that reasonable efforts will have been made to secure American workers for the employment. This further emphasizes the important role of the Farm Placement Service of the United States Employment Service in assisting workers to find employment.

S. 984 exempts workers brought in under its provisions from the Federal old-age and survivors insurance provisions of the Social Security Act.

The bill amends the Internal Revenue Code so as to exclude the service performed by such workers from the contribution provisions of the law as well as from the benefit provisions of the insurance program under the Social Security Act. Both the employer and the employee are exempted from the social-security tax.

Under the amendments to the Social Security Act, enacted by the Congress in 1950, a limited group of "regularly employed" agricultural workers were brought in under the insurance provisions effective January 1, 1951. In order for an agricultural worker and his employer to become subject to the insurance

contributions, an individual must work for one employer for at least 60 days each out of two consecutive quarters, before any of his agricultural work becomes subject to the contribution provisions of the insurance program. In most cases, it will be necessary for an individual to work 6 to 8 months for one agricultural employer before any of his agricultural work will be subject to contributions under the insurance program. Due to the relatively short period of time that Mexican contract workers work for a single employer, very few of them will meet the stringent requirements of the new law and consequently very few of them and their employers will be subject to the social-security contributions. It is estimated that not more than 3,000 to 5,000 Mexican workers would become subject to the social-security provisions under the terms of the proposed program and, of course, if all of the Mexican agricultural labor brought into this country return to Mexico within about 5 or 6 months, there would be none of the Mexican nationals who would become subject to the contribution provisions of the insurance program.

But it is still true that the exclusion of Mexican workers from the insurance program could result in the hiring of such workers in preference to American workers since their employers would have the competitive advantage of not paying social-security contributions and it appears to be undesirable to give employers, as a matter of general congressional policy, a financial incentive to hiring foreign labor as against hiring domestic labor.

The major issue, therefore, that is raised by the provision exempting Mexican nationals from the social-security provisions of the law is a matter of fundamental principle and national policy. Since its enactment in 1935, the insurance program under the Social Security Act has covered individuals in specific types of jobs in the United States without regard to the nationality of the individual. It should be noted that social-insurance systems in a number of foreign countries, including Mexico, do not discriminate against American nationals performing services in covered employment. This principle of nondiscrimination as between the United States nationals and the nationals of other countries has been advocated and endorsed by the International Labor Organization, by numerous representatives of social-security institutions of various countries, and by the Inter-American Committee on Social Security. A change in this policy which would establish the principle of exclusion because of nationality may eventually result in more harm than good because of the possibility of criticism arising against the United States for discrimination in the application of its social laws. Such criticism would not be in the long-run interest of the United States in world affairs.

One of the reasons given for supporting the exemption in the proposed bill is that the employee should not be required to pay the payroll tax if he is not going to become eligible for any social-security benefits. This difficulty can be overcome by the employer paying the employee contribution as well as his own, without deducting the employee contribution from the employee's wages. This policy is permitted under the present law.

It should be pointed out that many Mexican nationals are already covered under the insurance program and will continue to be covered under the insurance program in the future. Mexican nationals who come to the United States for employment and work in jobs covered under the insurance system have been covered under the program since it first began in 1937. Many Mexican nationals employed in the

manufacturing industry, canning, service trades, and domestic service are now contributing to the insurance system. The exemption of one group of Mexican workers while retaining coverage for other groups of Mexican workers would introduce undesirable discrimination. If the employment is rendered within the United States the present law provides for contributions being paid on such service and benefits being paid to Mexican nationals and their families even though they may be residing in Mexico. At the present time the Social Security Administration is making payments to Mexican nationals residing in Mexico based upon the employment contributions made for service under the law.

If, despite these various considerations, the Congress is of the opinion that some special arrangements should be made on behalf of Mexican nationals brought into the United States for short-term employment, it is suggested that consideration be given to the desirability of transferring the contributions made on behalf of the Mexican contract workers to the Mexican Social Insurance Institute. Such an arrangement would be consistent with a sound policy of international cooperation of nondiscrimination of nationals to other countries and eliminate any contention of giving an incentive to employment of foreign nationals to the detriment of domestic labor.

Before embarking upon a policy which may have far-reaching implications and adverse effects upon the insurance program and upon our foreign policy, it is recommended that the exemption provision in the bill be deleted pending the final determination of a long-run policy in keeping with the principles upon which our social-insurance program has been based in the past.

"Notwithstanding any other provision of law or regulation" S. 984 exempts employers of Mexican workers from posting bond to guarantee departure of these workers. It is understandable how the committee recommended this step. It received much testimony on the expense and the frequent unfairness to employers of the bond requirement. Employers testified before the committee that under the existing provision of the law they were required to post bond to guarantee departure of the worker, yet they did not have it within their power to hold the worker to employment. If the worker took it in mind to walk off some night, there was no way that they could stop him.

Important as this factor is in determining policy on this question, certain other considerations need to be taken into account. While it is true that the employer does not have the power to compel the worker to remain in his employment, the President's Commission found that there tended to be correlation over a period of years in the rate of desertions from employers. The Commission found that—

"Desertions from individual contracting employers range from as low as 4 percent to as high as 50 percent. Moreover, it is noted that there is a tendency for those employers having a high desertion rate in 1 year also to have a high desertion rate the next. We interpret this to mean that desertions from contract vary with individual management and working conditions. Where these are good, the desertions are low."

While such correlation could not be taken to explain each individual desertion, the evidence of continuing high desertion rates from some employers and continuing low desertion rates from other employees is so striking, that a relationship between desertion and working conditions would seem inescapable. Accordingly, we are of the view that while it is appropriate to recognize that no employer has it wholly within his power

to guarantee contract workers remaining in employment, that he does, however, have a measure of control in this respect.

In discussion of the Mexican contract, it is useful briefly to note practice with respect to the bond requirement for other foreign workers and for Mexican workers in earlier years. On this point, the President's Commission observes:

"These bonds, for British West Indians, have been as high as \$500 per head. For Mexicans, the bond is now \$25 per head. For Bahamians, it is \$50; for Jamaicans, \$100. In 1950, the bond for Mexicans was set at \$50, but under pressure from employers, the amount was reduced to \$25."

If the bond provision for Mexican workers were altogether removed, the present inequity in the differing sizes of these bond requirements would be further heightened.

Before considering abandonment of the bond requirement, it is appropriate to examine the thinking which led to the enactment of the provision originally. The 1917 immigration law was concerned with protecting the standards and conditions of work for American workers from the competition of cheaper immigrant labor. It, therefore, flatly prohibited admission of contract labor, but to provide for unusual or emergency situations granted discretionary authority to the Commissioner General of Immigration with the approval of the Secretary of Labor for temporary admission of such labor. In order to regulate and control the temporary admission of otherwise inadmissible aliens, the act called for the exaction of bonds. Inasmuch as we are today still vitally concerned with the protection of the standards for American workers, we believe that when exception is made and emergency importation of contract labor permitted that it should be accompanied by regulatory and controlling devices. We are, therefore, convinced that it would be unwise to abandon this protection to American workers.

In order to assure effective and satisfactory contract operations, it is fundamental that both parties to a contract live up to the obligations assumed. One of the complaints of the Government of Mexico has been the unsatisfactoriness of measures taken in the past to assure that United States employers will live up to the terms of the individual work contract. Accordingly, it will be noted that S. 984 provides that the United States Government guarantee "performance by employers of provisions of such contracts relating to the payment of wages or the furnishing of transportation." We are of the view that this provision should be broadened to include other payments due under such contracts. Similarly, it is felt appropriate to ask the Government of Mexico to take such measures as it deems appropriate to assure that workers coming to the United States under this program, will honor their obligations under the contract.

In order to assure more satisfactory performance on the part of both parties to the individual work contracts, we believe that the grievance machinery should be materially strengthened. The President's Commission found that—

"The lack of an appropriate way of resolving employer-worker differences is one of the main reasons for a large proportion of Mexican nationals returning home before the completion of their contracts or simply deserting or skipping their contracts."

Existing conciliation machinery is not adequate. The President's Commission observes:

"Complaints alleging violation of the individual work contract may be initiated in three ways: Officially by the United States Employment Service or privately by either worker or employer. If an officially initiated complaint is not adjusted, the Mexican consulate is called in for a joint investigation. Complaints from workers may be received

by the United States Employment Service or submitted through the appropriate Mexican consulate. Complaints by employers are received by the United States Employment Service. On all types of complaints the Mexican consulate may be called in for joint investigation and determination.

"As a matter of practice, we find that while employers may refer some complaints to the United States Employment Service, workers' complaint are ordinarily referred initially to the Mexican consulate. Let it be borne in mind that this conciliation procedure is contained in the international agreement (in English, which the typical Mexican worker cannot read) but is incorporated only by reference in the individual work contract (where the Spanish-reading Mexican worker finds out in Spanish that there is a conciliation procedure available to him if he could read English)."

In 1950, the United States Employment Service had nine inspectors detailed to handle grievances under the Mexican program. This number has recently been increased to 15, but this still seems altogether inadequate. We again quote the report of the President's Commission:

"For the farm employer or association of farm employers, the conciliation provision may be somewhat more adequate than it is for the foreign workers with a language handicap in a strange land. To expect the Mexican contract worker to locate one of the nine United States Employment Service inspectors or to relay his complaint to them through the State employment service is to expect more than is within his capability. Consequently, if he can get in touch with the Mexican consulate, that is about the best he can do. This cumbersome and complicated procedure, involving several Government agencies in general and none in particular, encourages desertion in place of making a complaint because every complaint has the potentiality of being lost or ignored."

Accordingly, we recommended that the United States Employment Service expand its conciliation service.

We believe that S. 984 does not go far enough in meeting the serious social, economic, and security problem represented by the influx of hundreds of thousands of wetbacks over our southern border. The committee comments on "the great economic and social problems" which the wetbacks represent.

The concern of the committee with the wetback problem is fully shared by the President's Commission. The one difference between the two groups could be said to relate to the estimate concerning the magnitude of the recent "invasion," which the committee puts at 1,000,000. The President's Commission is more conservative in its estimate of the number of wetbacks. The Commission uses the figure of half a million.

The committee explicitly comments on the inadequacy of present measures to deal with the wetback problem. Its concern is reflected in the important amendment to section 501 of the bill prohibiting recruitment of wetbacks. Possibly through oversight, the comparable amendment to section 504 has not been made, so that as the bill currently stands it is inconsistent on this vital point. It is accordingly proposed that 504 be amended in the manner of 501. The term "vital" is used deliberately, for it is the view of the President's Commission that one of the most important factors in the recent acceleration of the wetback traffic is the legalization of illegals. It comments:

"The latest and probably worst stage in this erosion of immigration law was when, under the authority of the ninth proviso, Mexican wetbacks were legalized and placed under contract. The ninth proviso allows the temporary admission and return of otherwise inadmissible aliens—under rules and

conditions. * * * In the contracting of wetbacks, we see the abandonment of the concept that the ninth proviso authority is limited to admission. A wetback is not admitted; he is already here, unlawfully. We have thus reached a point where we place a premium upon violation of the immigration law."

Prohibition of the legalization of workers illegally in the United States, while most important to the solution of the wetback problem, is not enough to meet the dimensions of the current "invasion." The President's Commission suggests other valuable steps which may be taken. It recommends that legislation be enacted making it unlawful to employ aliens illegally in the United States. It recommends that the Immigration and Naturalization Service be given clear statutory authority to enter places of employment to determine if illegal aliens are employed. We are of the view that these recommendations of the President's Commission are of utmost importance.

The fourth criterion which we proposed as guide to the measures to be included in a Mexican importation program is that the cost of the program to the public be kept to a minimum. We view as unrealistic the figure of \$20 to cover the round-trip cost of transportation of workers between recruitment centers in Mexico and reception centers in the United States as well as their subsistence during this period. In this connection, it is pertinent to bear in mind that it would be highly unusual if workers were hired by United States employers directly upon their arrival at the reception centers. Therefore, subsistence needs to be considered not only during the period of travel but for the period that they spend at the reception center awaiting employment.

HUBERT H. HUMPHREY.

APPENDIX A. RECOMMENDATIONS OF THE PRESIDENT'S COMMISSION ON MIGRATORY LABOR

I. FEDERAL COMMITTEE ON MIGRATORY FARM LABOR

We recommend that—

(1) There be established a Federal Committee on Migratory Farm Labor, to be appointed by and responsible to the President.

(2) The committee be composed of three public members and one member from each of the following agencies: Department of Agriculture, Department of Labor, Department of State, Immigration and Naturalization Service, and Federal Security Agency.

(3) The public members be appointed by the President. One public member should serve full time as chairman and the other two on a part-time basis. The Government representatives should be appointed by the President on the nomination of the heads of the respective agencies. The committee should have authority, within the limits of its appropriation, to establish such advisory committees as it deems necessary.

(4) The Federal Committee on Migratory Farm Labor have the authority and responsibility, with adequate staff and funds to assist, coordinate, and stimulate the various agencies of the Government in their activities and policies relating to migratory farm labor, including such investigations and publications as will contribute to an understanding of migratory farm-labor problems, and to recommend to the President, from time to time, such changes in administration and legislation as may be required to facilitate improvements in the policies of the Government relating to migratory farm labor. The committee should undertake such specific responsibilities as are assigned to it in the recommendations set forth in this report and as may be assigned to it by the President.

In general, however, the committee should have no administrative or operating responsibilities; these should remain within the respective established agencies and departments.

(5) Similar agencies be established in the various States. The responsibilities and the activities of the Federal Committee on Migratory Farm Labor and those of the agencies established in the States should be complementary and not competitive. The State agencies should be encouraged to carry forward those programs in behalf of migratory farm workers which, by their nature, fall within the responsibility of individual States. The Federal Committee will have major concern with interstate, national, and international activities. But at all times there should be close consultation between the Federal and State agencies and a two-way flow of information, suggestions, and effective cooperation.

II. MIGRATORY FARM LABOR IN EMERGENCY

Our investigations of the present farm labor problem and our analysis of this country's experience during the years of World War II and since, point to certain conclusions which to us seem inescapable in the present emergency. We therefore recommend that—

(1) First reliance be placed on using our domestic labor force more effectively.

(2) No special measures be adopted to increase the number of alien contract laborers beyond the number admitted in 1950.

(3) To meet any supplemental needs for agricultural labor that may develop, preference be given to citizens of the offshore possessions of the United States, such as Hawaii and Puerto Rico.

(4) Future efforts be directed toward supplying agricultural labor needs with our own workers and eliminating dependence on foreign labor.

III. ALIEN CONTRACT LABOR IN AMERICAN AGRICULTURE

We recommend that—

(1) Foreign labor importation and contracting be under the terms of intergovernmental agreements which should clearly state the conditions and standards of employment under which the foreign workers are to be employed. These should be substantially the same for all countries. No employer, employer's representative or association of employers, or labor contractor should be permitted to contract directly with foreign workers for employment in the United States. This is not intended to preclude employer participation in the selection of qualified workers when all other requirements of legal importation are fulfilled.

(2) The United States-Mexican intergovernmental agreement be in terms that will promote immigration law enforcement. The Department of State should negotiate with the Government of Mexico such a workable international agreement as will assure its operation as the exclusive channel for the importation of Mexican nationals under contract, free from the competition of illegal migration.

(3) Administration of foreign labor recruiting, contracting, transporting, and agreements be made the direct responsibility of the Immigration and Naturalization Service. This should be the principal contracting agency, and private employers should secure their foreign workers exclusively from the Immigration and Naturalization Service.

(4) The Farm Placement Service of the United States Employment Service certify to the Immigration and Naturalization Service and to the Federal Committee on Migratory Farm Labor when and if labor requirements cannot be filled from domestic sources and the numbers of additional workers needed. On alien contract labor, the United States Employment Service and the various State employment services should be advised by the tripartite advisory council provided

for in the Wagner-Peyser Act, or by tripartite subcommittees of the council. However, no certification of shortage of domestic labor should be made unless and until continental domestic labor has been offered the same terms and conditions of employment as are offered to foreign workers. After certifying the need for foreign workers, the United States Employment Service should have no administrative responsibilities in connection with any foreign labor program.

(5) In accordance with the policies of the Federal Committee on Migratory Farm Labor, the Immigration and Naturalization Service arrange, subject to the terms of the intergovernmental agreements then in force, for the importation of the number of qualified foreign agricultural workers certified as needed by the United States Employment Service, and transport them to appropriate reception and contracting centers in the United States.

(6) The Immigration and Naturalization Service deliver the imported workers to the farm employers who have submitted the necessary applications and bonds, and who have signed individual work agreements. Employment should be under the general supervision of the Immigration and Naturalization Service. An adequate procedure for investigating and resolving complaints and disputes originating from either party should be negotiated in the international agreements and should be incorporated in the standard work contracts. The Immigration and Naturalization Service should be authorized to terminate any contract of employment and remove the workers, and to refuse to furnish foreign workers to any employer or association of employers when there has been repeated or willful violation of previous agreements, or where there is reasonable doubt that the terms of the current agreement are being observed. The Immigration and Naturalization Service should, in the discharge of its obligations, receive such assistance from the United States Employment Service as it may request.

(7) Puerto Rico and Hawaii, as possessions of the United States, be recognized as part of the domestic labor supply, and workers from these Territories be accorded preference over foreign labor in such employment as they are willing and suited to fill.

(8) Where a government-to-government agreement provides for the payment of the prevailing wage to foreign contract workers, this wage be ascertained by public authority after a hearing. The policies, procedure, and responsibilities involved should be determined by the Federal Committee on migratory Farm Labor.

IV. THE WETBACK INVASION—ILLEGAL ALIEN LABOR IN AMERICAN AGRICULTURE

We recommend that—

(1) The Immigration and Naturalization Service be strengthened by (a) clear statutory authority to enter places of employment to determine if illegal aliens are employed, (b) clear statutory penalties for harboring, concealing, or transporting illegal aliens, and (c) increased appropriations for personnel and equipment.

(2) Legislation be enacted making it unlawful to employ aliens illegally in the United States, the sanctions to be (a) removal by the Immigration and Naturalization Service of all legally imported labor from any place of employment on which any illegal alien is found employed; (b) fine and imprisonment; (c) restraining orders and injunctions; and (d) prohibiting the shipment in interstate commerce of any product on which illegal alien labor has worked.

(3) Legalization for employment purposes of aliens illegally in the United States be discontinued and forbidden. This is not intended to interfere with handling of hardship cases as authorized by present immigration laws.

(4) The Department of State seek the active cooperation of the Government of Mex-

ico in a program for eliminating the illegal migration of Mexican workers into the United States by (a) the strict enforcement of the Mexican emigration laws, (b) preventing the concentration, in areas close to the border, of surplus supplies of Mexican labor, and (c) refraining from attempt to obtain legalization for employment in the United States of Mexican workers illegally in this country.

V. HOW MIGRATORY WORKERS FIND EMPLOYMENT

We recommend that—

(1) Federation legislation be enacted to prohibit interstate recruitment of farm labor by crew leaders, labor contractors, employers, employers' agents, and other private recruiting agents except when such agents are licensed by the Department of Labor. The Federal Committee on Migratory Farm Labor should develop appropriate standards for regulating and licensing such private agents.

(2) States enact legislation and establish enforcement machinery to regulate and license labor contractors, crew leaders, and other private recruiting agents operating intrastate, such legislation to include private solicitors or recruiters operating on a fee or nonfee basis, either part time or year round. The standards of regulation should at least equal those established by the Federal Committee on Migratory Farm Labor. The recommendations of the Governor's Committee of California suggest the form and content of such State legislation.

(3) The United States Employment Service and the State employment services adopt a policy of refusing to refer workers to crew leaders, labor contractors, or private recruiting agents for employment.

(4) The United States Employment Service adopts regulations and administrative procedures to safeguard interstate recruiting and transporting of workers, by providing that—

(a) Terms of employment be reduced to writing, such written terms to contain a provision for the adjustment of grievances.

(b) Housing and transportation arrangements available to workers meet the minimum standards established by the Federal Committee on Migratory Farm Labor.

(c) State employment services shall not recruit farm workers outside their States or assist in bringing farm workers in from other States unless the United States Employment Service is assured that the State does not have the necessary labor available within its own borders.

(5) Neither the United States Employment Service nor State employment services join with employers, employers' associations, or other private recruiting agents in mass advertising for interstate recruitment.

(6) In order to achieve better utilization of the national domestic farm-labor supply, States having legislation restricting recruitment of workers for out-of-State employment (emigrant agent laws) undertake repeal of such legislation.

(7) The Federal Committee on Migratory Farm Labor establish transportation standards of safety and comfort (including in-transit rest camps). States should be guided by the transportation standards of the Federal Committee on Migratory Farm Labor as minimum conditions to govern intrastate transportation of migratory farm workers.

(8) The United States Employment Service and the State employment services be advised on farm-labor questions by the tripartite advisory councils as provided for in the Wagner-Peyser Act or by tripartite subcommittees of the councils.

VI. EMPLOYMENT MANAGEMENT AND LABOR RELATIONS

We recommend that—

(1) The Agricultural Extension Service, through its Federal office and in those States where migratory labor has significant proportions, make instruction in farm-labor

management and labor relations available to farm employers and to farm employees. The Agricultural Extension Services should also make available advice and counsel for the organizing of farm-employer associations similar to those sponsored during World War II, which associations should have the purpose of pooling their joint labor needs to promote orderly recruiting, better employer-worker relations, and more continuous employment.

(2) The Labor-Management Relations Act of 1947 be amended to extend coverage to employees on farms having a specified minimum employment.

VII. EMPLOYMENT, WAGES, AND INCOMES

We recommend that—

(1) The Congress enact minimum-wage legislation to cover farm laborers, including migratory laborers.

(2) State legislatures give serious consideration to the protection of agricultural workers, including migratory farm workers, by minimum-wage legislation.

(3) Federal and State unemployment compensation legislation be enacted to cover agricultural labor.

(4) Because present unemployment compensation legislation is not adapted to meeting the unemployment problems of most migratory farm workers, the Federal Social Security Act be amended to provide matching grants to States for general assistance on the condition that no needy person be denied assistance because of lack of legal residence status.

VIII. HOUSING

We recommend that—

(1) The United States Employment Service not recruit and refer out-of-State agricultural workers and the Immigration and Naturalization Service not import foreign workers (pursuant to certifications of labor shortage) unless and until:

(a) The State in which the workers are to be employed has established minimum housing standards for such workers together with a centralized agency for administration and enforcement of such minimum standards on the basis of periodic inspections. These State housing standards, in their terms and in administration, should not be less than the Federal standards herein provided.

(b) The employer or association of employers has been certified as having available housing, which at recent inspection has been found to comply with minimum standards for housing then in force in that State.

(2) Federal minimum standards covering all types of on-job housing for migratory workers moving in interstate or foreign commerce be established and promulgated by the Federal Committee on Migratory Farm Labor. These standards, administered through a State license system, should govern site, shelter, space, lighting, sanitation, cooking equipment, and other facilities relating to maintenance of health and decency.

(3) Any State employment service requesting aid of the United States Employment Service in procuring out-of-State workers submit, with such request, a statement that the housing being offered meets the Federal standards.

(4) The Agricultural Extension Service in those States using appreciable numbers of migratory workers undertake an educational program for growers concerning design, materials, and lay-out of housing for farm labor.

(5) The Department of Agriculture be empowered to extend grants-in-aid to States for labor camps in areas of large and sustained seasonal labor demand provided the States agree to construct and operate such camps under standards promulgated by the Federal Committee on Migratory Farm Labor. Since such projects are to be constructed and operated for the principal purpose of housing agricultural workers and their families, preference of occupancy should be given to those

engaged in seasonal agricultural work. Costs should be defrayed by charges to occupants.

(6) When housing is deficient in areas where there is large seasonal employment of migratory farm workers, but where the seasonal labor need is of short duration, the Department of Agriculture establish transit camp sites without individual housing. These camp sites should be equipped with water, sanitary facilities including showers, laundry, and cooking arrangements. They should be adequately supervised.

(7) The Department of Agriculture be authorized, and supplied with the necessary funds, to extend carefully supervised credit in modest amounts to assist migratory farm workers to acquire or to construct homes in areas where agriculture is in need of a considerable number of seasonal workers during the crop season.

(8) States be encouraged to enact State housing codes establishing minimum health and sanitation standards for housing in unincorporated areas.

(9) The Public Housing Administration of the Housing and Home Finance Agency develop a rural nonfarm housing program to include housing needs of migrants in their home-base situation.

IX. HEALTH, WELFARE, AND SAFETY

We recommend that—

(1) In amending the Social Security Act to provide matching grants to States for general assistance (as we recommended in chapter 7), provision be made to include medical care on a matching-grant basis for recipients of public assistance on the condition that no person be denied medical care because of the lack of legal residence status.

(2) The Public Health Service Act be amended to provide, under the supervision of the Surgeon General, matching grants to States, to conduct health programs among migratory farm laborers to deal particularly with such diseases as tuberculosis, venereal disease, diarrhea, enteritis, and dysentery, and to conduct health clinics for migratory farm workers.

(3) The United States Employment Service make no interstate referrals of migratory farm workers unless the representative of the State requesting the labor shall give evidence in writing that neither the State nor the counties concerned will deny medical care on the grounds of nonresidence, and that migratory workers will be admitted to local hospitals on essentially the same basis as residents of the local community.

(4) The Federal Committee on Migratory Farm Labor and the appropriate State agencies undertake studies looking toward the extension of safety and workmen's compensation legislation to farm workers.

(5) The Federal Social Security Act be amended to include migratory farm workers as well as other agricultural workers not now covered under the old-age and survivors insurance program.

X. CHILD LABOR

We recommend that—

(1) The 1949 child-labor amendment to the Fair Labor Standards Act be retained and vigorously enforced.

(2) The Fair Labor Standards Act be further amended to restrict the employment of children under 14 years of age on farms outside of school hours.

(3) State child-labor laws be brought to a level at least equal to the present Fair Labor Standards Act and made fully applicable to agriculture.

(4) The child-labor provisions of the Sugar Act be vigorously enforced.

XI. EDUCATION

We recommend that—

(1) The Federal Committee on Migratory Farm Labor, through the cooperation of public and private agencies, including the United States Office of Education, State edu-

cational agencies, the National Education Association, universities, and the American Council on Education, develop a plan which will provide an adequate program of education for migratory workers and their children. This may include Federal grants-in-aid to the States.

(2) The Agricultural Extension Services, in fuller discharge of their statutory obligations to the entire farm population, provide educational assistance to agricultural laborers, especially migratory workers, to enable these people to increase their skills and efficiency in agriculture and to improve their personal welfare. The extension services should also give instructions to both farm employers and farm workers on their respective obligations and rights, as well as the opportunities for constructive joint planning in their respective roles as employers and employees.

The Agricultural Extension Services should expand their home-demonstration work to supply the families of farm workers, particularly migratory farm workers, instruction in nutrition, homemaking, infant care, sanitation, and similar subjects.

In substance, the Commission recommends that the Agricultural Extension Services assume the same responsibility for improving the welfare of farm workers as for helping farm operators.

(3) The Federal Government, in accordance with the long-standing policy that agricultural extension work is a joint responsibility of the Federal Government and the several States, share in the cost of the proposed educational program for farm workers and their families.

APPENDIX B. EXCERPT FROM UNDEREMPLOYMENT OF RURAL FAMILIES

MIGRATORY FARM LABOR

Some underemployed farm families leave their farms during the harvest season and supplement their farm incomes by picking cotton, fruit, potatoes, tomatoes, or other crops; others forsake their farms entirely and attempt to make a living by following the crop harvest. Through years of varying economic conditions relatively permanent groups of workers have developed who meet the peak-season labor needs in various parts of the country. These are principally but not exclusively from farm sources. They have developed rather definite paths of movement from the winter work areas in Florida, south Texas, Arizona, and southern California to summer harvest areas in the north.

The number of people in this migratory work force has varied with crop conditions, prices of farm products, displacement by mechanization, and the general level of non-agricultural employment. It has also changed with the opportunity to go into urban occupations. According to a Nationwide survey made in 1949, there were slightly more than 1,000,000 people over 14 years of age in this work force at that time.¹ This number includes several hundred thousand workers from across the Mexican border who compete with domestic labor for the work that is available.

Farm people who go into the migratory labor force do so from lack of better opportunity and then merely change to another and less secure type of underemployment. According to the survey previously mentioned, the average number of days of employment for migratory workers over the country in 1949 was 101, 70 days in farm work and 31 more in nonfarm employment.

Three factors enter into this underemployment. First, a period of several slack months when there is little seasonal employment to be found. Second, irregular

¹ Migratory Farm Workers in 1949, Louis J. Ducoff, Bureau of Agricultural Economics, 1950.

and intermittent employment during the harvest season. Some harvests are oversupplied with workers, others last for such a brief period that the amount of work obtained by a worker is small. The third factor is too large a supply of workers for the amount of work available. Migratory workers compete with local seasonal and year-round workers for employment. The latter, too, then suffer from underemployment; during 1949 they had a total of 120 days' employment of which 91 days were in farm work and 29 nonfarm jobs.²

The earnings from the 101 days of farm work which the migratory workers obtained in 1949 amounted to an average of \$514.³ The value of housing, transportation, and other perquisites amounts to \$36 more.³ At an average of two workers per family, total family incomes averaged \$1,028 cash or \$1,100 with perquisites. This amount had to feed, clothe, shelter, and educate a family of four.

Underemployment and low earnings are not the only problems among migratory farm workers. Poor housing, lack of sanitation and medical care, child labor, and educational retardation of the children, all tend to make them a disadvantaged group. They have little voice either in community, State, or national affairs and are unable to make effective demands to relieve their situation.

Although they are most essential to meet peak season demands for gathering in the national food supply, they are explicitly excluded from national legislation which protects and advances the rights of workers. Their position is the most precarious of any in our economy. They have no definable job rights and are so far removed from the employer group that they are unable to obtain redress for grievances.

Rather than hire seasonal and migratory workers directly and individually, it is a widespread practice among farm employers to hire in crews through labor contractors, crew chiefs, or labor recruiters. In many areas it is virtually impossible for a worker to obtain a job directly from the farm employer. As a consequence of these practices, a farm worker has to pay heavily from his already-too-low earnings for the privilege of getting work to do.

Mr. LANGER. Mr. President, I wish to call attention to the fact that the President's Commission held 12 public hearings. Where were the hearings held? They were held in Brownsville, Tex.; El Paso, Tex.; Phoenix, Ariz.; Los Angeles, Calif.; Portland, Oreg.; Fort Collins, Colo.; Memphis, Tenn.; Saginaw, Mich.; Trenton, N. J.; West Palm Beach, Fla.; and two hearings were held in Washington, D. C. Not one hearing was held in the Middle West or other agricultural regions.

A few days ago there was published a list of the casualties in Korea. It gave the number of casualties suffered by the various countries who have boys fighting in Korea. Not one boy come from Mexico. Not one casualty was suffered by Mexico. A few moments ago the Senator from Florida [Mr. HOLLAND] said that during World War II the Selective Service Act was in effect in Florida. Under the act boys in Florida were inducted into the service. How does it work today?

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. LANGER. I decline to yield. How does it work today? A county in the State of Kansas, South Dakota, North Dakota, or Florida, or in any other State, says, "We want so many men." Therefore in any agricultural county so many men must be sent into the service. They have taken away the boys. In some sections of my State, as well as in the adjoining States, including Minnesota, insufficient help was available. The first boy in the family had already died in World War II. They then took the last boy and hired man. Now they come along and say, "We will continue taking the boys. When there is not enough labor available to do the work the Department of Labor will certify that you can get some men from Mexico."

I for one will not vote for a bill that says we are going to send our boys to die in Korea while the Republic of Mexico sends workers to the United States to take the place of our own farm boys and our city boys. Such foreign laborers are sent all over the Middle West, where I am intimately acquainted with the facts, where they draw wages, and the Senator from Minnesota says he wants to be sure that their wages are going to be high enough.

The distinguished Senator from Minnesota says that the reports show that all over the country there has been a terrible situation relative to migratory labor. Let me tell the Senator from Minnesota that I have lived in North Dakota. I am intimately acquainted in his own State of Minnesota, in Montana, South Dakota, and other farm States. I can give him name after name of men who came to those States as migratory laborers and who remained there and made a great success in farming and business. Today they are among the outstanding farmers and businessmen of those States.

I can readily see, by looking at the minority report, that, of course, the committee went to some of the large cities. It was pleasant to go to Phoenix, Los Angeles, and Portland, Oreg. It was nice to go to some of the other places in the wintertime. I note that the committee went to West Palm Beach, Fla., and that it held a couple of meetings in Washington. It was pleasant to go there. But I notice that they did not go to any little cities. They did not go to New Ulm, Minn. They did not go to Moorhead, Minn. They did not go to Jackson, Minn. They did not go to any city in North Dakota. They did not go to Kansas, New Jersey, Nebraska, South Dakota, or Missouri. Yet an overwhelming amount of the sugar-beet labor which comes from Mexico is going to some of the very States which I have named.

So, Mr. President, I for one decline to vote for a bill of this character, under which able-bodied, healthy boys from Mexico, a country which is not helping us in the United Nations, are sent to the United States to be employed at high wages and to take the place of farm boys and city boys who are fighting to save the Republic of Korea.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 984) was passed, as follows:

Be it enacted, etc., That the Agricultural Act of 1949 is amended by adding at the end thereof a new title to read as follows:

"TITLE V—AGRICULTURAL WORKERS"

"SEC. 501. For the purpose of assisting in such production of agricultural commodities and products as the Secretary of Agriculture deems necessary, by supplying agricultural workers from the Republic of Mexico (pursuant to arrangements between the United States and the Republic of Mexico), the Secretary of Labor is authorized—

"(1) to recruit such workers (including any such workers temporarily in the United States under legal entry);

"(2) to establish and operate reception centers at or near the places of actual entry of such workers into the continental United States for the purpose of receiving and housing such workers while arrangements are being made for their employment in, or departure from, the continental United States;

"(3) to provide transportation for such workers from recruitment centers outside the continental United States to such reception centers and transportation from such reception centers to such recruitment centers after termination of employment;

"(4) to provide such workers with such subsistence, emergency medical care, and burial expenses (not exceeding \$150 burial expenses in any one case) as may be or become necessary during transportation authorized by paragraph (3) and while such workers are at reception centers;

"(5) to assist such workers and employers in negotiating contracts for agricultural employment (such workers being free to accept or decline agricultural employment with any eligible employer and to choose the type of agricultural employment they desire, and eligible employers being free to offer agricultural employment to any workers of their choice not under contract to other employers);

"(6) to guarantee the performance by employers of provisions of such contracts relating to the payment of wages or the furnishing of transportation.

"SEC. 502. No workers shall be made available under this title to any employer unless such employer enters into an agreement with the United States—

"(1) to indemnify the United States against loss by reason of its guaranty of such employer's contracts;

"(2) to reimburse the United States for essential expenses, not including salaries or expenses of regular department or agency personnel, incurred by it for the transportation and subsistence of workers under this title in amount not to exceed \$20 per worker; and

"(3) to pay to the United States, in any case in which a worker is not returned to the reception center in accordance with the contract entered into under section 501 (5) and is apprehended within the United States, an amount determined by the Secretary of Labor to be equivalent to the normal cost to the employer of returning other workers from the place of employment to such reception center, less any portion thereof required to be paid by other employers.

"SEC. 503. No workers recruited under this title shall be available for employment in any area unless the Secretary of Labor for such area has determined and certified that (1) sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed, and (2) the employment of such workers

² Migratory Farm Workers in 1949, Louis Ducoff, Bureau of Agricultural Economics, 1949.

³ Perquisites Furnished Hired Farm Workers, Barbara B. Reagan, Bureau of Agricultural Economics, 1945.

will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed, and (3) reasonable efforts have been made to attract domestic workers for such employment at wages and standard hours of work comparable to those offered to foreign workers.

"Sec. 504. Workers recruited under this title who are not citizens of the United States shall be admitted to the United States subject to the immigration laws (or if already in, by virtue of legal entry and otherwise eligible for admission to, the United States may, pursuant to arrangements between the United States and the Republic of Mexico, be permitted to remain therein) for such time and under such conditions as may be specified by the Attorney General but, notwithstanding any other provision of law or regulation, no penalty bond shall be required which imposes liability upon any person for the failure of any such worker to depart from the United States upon termination of employment: *Provided*, That no workers shall be made available under this title to, nor shall any workers made available under this title be permitted to remain in the employ of, any employer who has in his employ any Mexican alien when such employer knows or has reasonable grounds to believe or suspect or by reasonable inquiry could have ascertained that such Mexican alien is not lawfully within the United States.

"Sec. 505. (a) Section 210 (a) (1) of the Social Security Act, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended."

"(b) Section 1426 (b) (1) of the Internal Revenue Code, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended."

"(c) Workers recruited under the provisions of this title shall not be subject to the head tax levied under section 2 of the Immigration Act of 1917 (8 U. S. C., sec. 132).

"Sec. 506. For the purposes of this title, the Secretary of Labor is authorized—

"(1) to enter into agreements with Federal and State agencies; to utilize (pursuant to such agreements) the facilities and services of such agencies; and to allocate or transfer funds or otherwise to pay or reimburse such agencies for expenses in connection therewith;

"(2) to accept and utilize voluntary and uncompensated services; and

"(3) when necessary to supplement the domestic agricultural labor force, to cooperate with the Secretary of State in negotiating and carrying out agreements or arrangements relating to the employment in the United States, subject to the immigration laws, of agricultural workers from the Republic of Mexico.

"Sec. 507. For the purposes of this title—

"(1) The term 'agricultural employment' includes services or activities included within the provisions of section 3 (f) of the Fair Labor Standards Act of 1938, as amended, or section 1426 (h) of the Internal Revenue Code, as amended.

"(2) The term 'employer' shall include an association, or other group, of employers, but only if (A) those of its members for whom workers are being obtained are bound, in the event of its default, to carry out the obligations undertaken by it pursuant to section 502, or (B) the Secretary determines that such individual liability is not necessary to assure performance of such obligations.

"Sec. 508. Nothing in this act shall be construed as limiting the authority of the Attorney General, pursuant to the general immigration laws, to permit the importation of aliens of any nationality for agricultural employment as defined in section 507, or to permit any such alien who entered the United States legally to remain for the purpose of engaging in such agricultural employment under such conditions and for such time as he, the Attorney General, may specify.

"Sec. 509. Any person who shall employ any Mexican alien not duly admitted by an immigration officer or not lawfully entitled to enter or to reside within the United States under the terms of this act or any other law relating to the immigration or expulsion of aliens, when such person knows or has reasonable grounds to believe or suspect or by reasonable inquiry could have ascertained that such alien is not lawfully within the United States, or any person who, having employed such an alien without knowing or having reasonable grounds to believe or suspect that such alien is unlawfully within the United States and who could not have obtained such information by reasonable inquiry at the time of giving such employment, shall obtain information during the course of such employment indicating that such alien is not lawfully within the United States and shall fail to report such information promptly to an immigration officer, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$2,000, or by imprisonment for a term not exceeding 1 year, or both, for each alien in respect to whom any violation of this section occurs.

"Sec. 510. No workers will be made available under this title for employment after December 31, 1952."

Mr. ELLENDER. Mr. President, I ask unanimous consent that the bill be printed as passed.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE MACARTHUR HEARING—LETTER FROM SECRETARY ACHESON TO SENATOR KNOWLAND

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter dated April 26, 1951, which I received from Secretary of State Dean Acheson in response to a letter which I had addressed to him asking for certain information relative to the inquiry now under way.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, April 26, 1951.

The Honorable WILLIAM F. KNOWLAND,
United States Senate.

MY DEAR SENATOR KNOWLAND: I have your letter of April 17, 1951, in which you request that a copy of the Wedemeyer report on Korea of September 19, 1947, as well as certain other documents be made available.

As you may recall, the Korean section of the Wedemeyer report, which was read by you on a confidential basis on August 24, 1950, deals only with the situation existing in Korea in 1947 and is not an integral part of his report on China. Since the preparation of that report the situation in Korea has undergone a fundamental change, the military occupation in being at the time of General Wedemeyer's visit having given way to a sovereign Korean Government established on the basis of elections held in accordance with procedures laid down by the United Nations and under the observation of a United Nations Commission.

Last fall, I informed the Appropriations Committee that I had discussed with the President the request of the committee for a copy of General Wedemeyer's 1947 report on Korea and that the President had instructed me to communicate that it was his view that the declassification of the report in question would be contrary to the national interest.

The special guidance paper No. 28 of December 23, 1949, which you have seen and has been shown confidentially to members of the Appropriations Committee does not, as you know, purport to make foreign policy with reference to Formosa. It is a document which described informational policies and public attitudes with reference to Formosa at that time. The limited purpose of the guidance paper was thoroughly understood and appreciated by all officers to whom it was sent.

The clear purpose of this document was to protect the interests of the United States by avoiding declarations in our information output abroad at the time which would enable the U. S. S. R. and other anti-United States propaganda agencies to attack or deride the United States should Formosa actually fall, and to avoid making statements as to the significance of Formosa which would make any subsequent action by the United States to prevent the fall of Formosa appear, in the eyes of foreign countries, as a manifestation of United States power politics. The document did not call for any organized campaign, as has been charged, to prove that Formosa was of no strategic value, nor did it state that a decision had been made to write off Formosa. No such decision was ever made. On the contrary, the clear policy of the Government for more than 2 years has been to deny Formosa to the Communists.

This document was prepared because our public affairs officers recognized that Formosa represented a definite information problem for our overseas information program. It was based on existing policy decisions and took into account various intelligence reports and other basic data.

These guidances are prepared regularly on all major aspects of United States foreign policy in order that the international information program, including the Voice of America, will constitute a thoroughly coordinated arm of our foreign policy. The provision of such guidance has been strongly insisted upon by the Advisory Commission on International Information, which was established by the Smith-Mundt Act.

Information guidances of this nature, which keep pace with changing conditions, must be classified, since to make them public would have a decidedly adverse effect upon our foreign policy and upon the information program itself. Revelation of the detailed methods by which the United States conducts its foreign-information program would be of great assistance to the Soviets, not only in advising them of what our information techniques are, but also in permitting an information directive, if unclassified, to be used for extensive counterpropaganda.

The question has already been raised in this case why a particular document must be kept confidential whose content already, in a large part, has been made public. As explained in conversations with you prior to this, the disclosure of an official analysis of foreign public opinion and the disclosure of official attitudes recommended to be taken with reference to it, could be used far more effectively by Soviet propaganda than the partial, unofficial disclosure by the American press. In addition, this is an instance, like many others, where classified information, which became public without official endorsement, cannot be used as effectively as propaganda against the United States as would be the case if it were officially confirmed.

main blind to the times. The world today is a small community; oceans are but ditches; continents but hops between starting and stopping points. It is, as Wendell Willkie truly said "one world." I put it to you whether we have not reached the point where it is no longer safe to go it alone? Even if we stubbornly adhered to splendid isolation—to quote a famous remark of an English statesman—and actually emerged victorious from a war, we might still be the losers. No less an authority than Gen. Omar Bradley says:

There are no victors in modern warfare. The winner in the next war stand amid its own ruins in an impoverished world.

And so, my colleagues, shall we not on this our national feast day manifest humble gratitude to the Power which has made and preserved us a Nation by joining with other nations to guarantee, protect and preserve the peace of all?

At all costs we must uphold the United Nations. As General Marshall rightly says, "Its success is the hope of the world."

CARLOS SANCHEZ PEREZ

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 795) for the relief of Carlos Sanchez Perez, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That for the purposes of the immigration and naturalization laws, Carlos Sanchez Perez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

GRANTING STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (H. Con. Res. 90) favoring the granting of the status of permanent residence to certain aliens, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the concurrent resolution.

The Clerk read the Senate amendment, as follows:

Page 14, after line 17, insert: "A-7450475, Szasz, Alexander."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

SIDNEY YOUNG HUGHES

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1103) for the relief of Sidney Young Hughes, with a Senate amendment thereto, disagree to the Senate amendment, and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. WALTER, FEIGHAN, and GRAHAM.

CALL OF THE HOUSE

Mr. HOPE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 89]

Adair	Gillette	Murphy
Allen, Ill.	Gordon	Murray, Wis.
Allen, La.	Hall	O'Brien, Mich.
Anfuso	Leonard W.	O'Konski
Auchincloss	Irving	O'Neill
Berry	Jackson, Calif.	Powell
Boggs, La.	Jones, Ala.	Preston
Breen	Judd	Redden
Buckley	Kearney	Scott, Hardie
Camp	Kearns	Smith, Kans.
Carnahan	Kelley, Pa.	Sutton
Chatham	Kilday	Trimble
Dawson	King	Velde
Dingell	Larcade	Vorvys
Durham	LeCompte	Weichel
Elliott	McKinnon	Werdel
Evins	Morrow	Whitten
Flood	Miller, Calif.	Woodruff
Frazier	Miller, N. Y.	

The SPEAKER. On this roll call 374 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1726. An act to change the date for the beginning of annual assessment work on mining claims held by location in the United States, including the Territory of Alaska, from the 1st day of July to the 1st day of November, and to extend the time during which annual assessment work on such claims may be made for the year beginning July 1, 1950, to the 1st day of November 1951.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1590) entitled "An act to extend and revise the District of Columbia Emergency Rent Act"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. NEELY, Mr.

CLEMENTS, and Mr. WELKER to be conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4200) entitled "An act to make certain revisions in titles I through IV of the Officer Personnel Act of 1947, as amended, and for other purposes."

INDEPENDENT OFFICES APPROPRIATION BILL, 1952

Mr. THOMAS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the concurrent resolution (S. Con. Res. 35) ordering the reengrossment of the Senate amendment to H. R. 3880, the independent offices appropriation bill for 1952.

The Clerk read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed to reengross the amendments of the Senate to the bill (H. R. 3880) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1952, and for other purposes; and to reengross Senate amendment numbered 79 so as to read as follows:

On page 35, line 23, strike out "\$875,-163,335" and insert "\$873,105,770."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. PHILLIPS. Mr. Speaker, reserving the right to object, will the gentleman from Texas [Mr. THOMAS] please explain the reason for the request on the part of the other body?

Mr. THOMAS. Mr. Speaker, this resolution authorizes reengrossment of amendment No. 79 of the independent offices appropriation bill. It all adds up to this: Apparently the other body has made a mistake in printing or engrossing this amendment. Amendment No. 79 deals with salaries and expenses for the Veterans' Administration. What happened was that they show a reduction in that appropriation of about \$1,-200,000 more than the figure actually agreed upon by the Senate.

This merely rectifies the mistake in printing at the other end of the Capitol.

Mr. MARTIN of Massachusetts. It was just a clerical error?

Mr. THOMAS. That is all.

Mr. PHILLIPS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. THOMAS]?

There was no objection.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

OFFICER PERSONNEL ACT OF 1947

Mr. VINSON submitted the following conference report and statement on the bill (H. R. 4200) to make certain revisions in titles I through IV of the Offi-

cer Personnel Act of 1947, as amended, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 656)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4200) to make certain revisions in titles I through IV of the Officer Personnel Act of 1947, as amended, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

CARL VINSON,
OVERTON BROOKS,
DEWEY SHORT,

Managers on the Part of the House.

HARRY FLOOD BYRD,
JOHN C. STENNIS,
RALPH E. FLANDERS,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4200) to make certain revisions in titles I through IV of the Officer Personnel Act of 1947, as amended, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

LEGISLATION IN CONFERENCE

On June 18, 1951, the House of Representatives passed H. R. 4200, to make certain revisions in titles I through IV of the Officer Personnel Act of 1947, as amended, and for other purposes.

The principal purpose of H. R. 4200, as passed by the House, was to give the President the authority in time of war and national emergency to suspend certain provisions of the Officer Personnel Act of 1947 relating to the Navy and Marine Corps. These amendments would give the Navy and Marine Corps flexibility in the administration of this act similar to that now authorized for the Army and Air Force.

On June 21, 1951, the Senate considered the House bill and amended it by adding five new sections. The Senate amendment had the effect of adding the provisions of S. 780, Eighty-first Congress, to H. R. 4200. No other change in H. R. 4200 was made by the Senate amendment.

S. 780, Eighty-first Congress, which bill was identical to the Senate amendment, provided for the review of the records of those Regular officers of the Navy and Marine Corps who failed of advancement during World War II. A bill somewhat similar to S. 780, Eighty-first Congress, was considered in the House, but twice failed to pass when it met objections upon the calling of the Consent Calendar.

The House conferees took the position in conference that this legislation should not be tacked on H. R. 4200, inasmuch as the Eighty-first Congress had rejected a similar bill and since no committee hearings had been held on the legislation in the Eighty-second Congress. Furthermore, the amendment would have required the review of over 1,700 officers' records, who, for some reason or other, failed of advancement during the past war. It was considered that this would place an unwarranted administrative burden upon the Department of the Navy at this time.

The deletion of the Senate amendment, as recommended by the House conferees and as agreed to by the Senate conferees, restores the proposed legislation to exactly the same form as approved by the House.

CARL VINSON,
OVERTON BROOKS,
DEWEY SHORT,

Managers on the Part of the House.

CIVILIAN PHYSICAL FITNESS AND
TRAINING PROGRAM

Mr. VINSON. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be discharged from further consideration of House Concurrent Resolution No. 19, to express the sense of the Congress that a civilian physical fitness and training program should be established in the interest of national security, and that the concurrent resolution be re-referred to the Committee on Interstate and Foreign Commerce.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

DISTRICT OF COLUMBIA EMERGENCY
RENT ACT

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1590) to extend and revise the District of Columbia Emergency Rent Act, with an amendment of the House thereto, insist on the amendment of the House and agree to a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. HARRIS, ABERNETHY, and O'HARA.

TEMPORARY APPROPRIATIONS FOR
GOVERNMENT AGENCIES

Mr. SABATH, from the Committee on Rules, reported the following privileged resolution (H. Res. 287, Rept. No. 657), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H. J. Res. 277) making temporary appropriations for the fiscal year 1952, and for other purposes. That after general debate, which shall be confined to the joint resolution and continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations, the joint resolution shall be read for amendment. No amendment shall be in order to said joint resolution except amendments offered by the direction of the Committee on Appropriations. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

IMPORTATION OF FOREIGN AGRICULTURAL
WORKERS

Mr. COOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 3283) to amend the Agricultural Act of 1949.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further

consideration of the bill H. R. 3283, with Mr. GORE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday there was pending the amendment of the gentleman from Ohio [Mr. POLK], and the amendment offered by the gentleman from New York [Mr. CELLER] to the Polk amendment.

Without objection, the Clerk will again report the amendment of the gentleman from New York.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. CELLER to the amendment offered by Mr. POLK: Add a new section as follows:

"SEC. —. Any person who shall employ as a farm laborer any Mexican alien not duly admitted by an immigration officer or not lawfully entitled to enter or to reside within the United States under the terms of this act, when such person knows or has reasonable grounds to believe or suspect or by reasonable inquiry could have ascertained that such alien farm laborer is not lawfully within the United States, or any person who, having employed such an alien without knowing or having reasonable grounds to believe or suspect that such alien farm laborer is unlawfully within the United States and who could not have obtained such information by reasonable inquiry at the time of giving such employment, shall obtain information during the course of such farm labor employment indicating that such alien farm laborer is not lawfully within the United States and shall fail to report such information promptly to an immigration officer, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$1,000, or by imprisonment for a term not exceeding 1 year, or both, for each farm laborer in respect to whom any violation of this section occurs."

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes in support of his amendment.

Mr. CELLER. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The gentleman from New York is recognized for 10 minutes.

Mr. CELLER. This amendment that I have offered puts teeth into this bill. Without these teeth the bill is not worth a sou-morque. Without the sanctions which my amendment involves you have here an engraved invitation for the predatory interests along the border, the huge cotton growers in Texas and Arizona and New Mexico—I do not speak of the small cotton growers—and the huge citrus-plantation owners, for example, in the Imperial Valley to go into Mexico and induce people, smugglers, and procurers to round up all these wetbacks and bring them in and sweat them on the plantations and on the ranches, and on the huge farms. I wager that if the penalties are added to this bill, it would be defeated.

Why do I offer this amendment in addition? Attempts have been made earnestly and sincerely by the border patrol of the Immigration Office to prevent the coming into this country of these huge numbers of wetbacks. They

collared 600,000 in the last fiscal year, and for every one that is picked up there are two or three others who are not apprehended. They anticipate an invasion this fiscal year of over a million wetbacks. A wetback is one who is in this country illegally. The problem is difficult to solve. Sincere farmers must help solve it by refusing to hire wetbacks. Some burden should be upon them. They dare not refuse that burden, otherwise they convict themselves of the charge they desire to use wetbacks.

I applaud the efforts to bring in Mexican aliens legally who satisfy the immigration statutes, the public health laws, our narcotic statutes, and our internal security laws, but all should be examined and be screened by the various services at the border. Because, however, of a 2,000-mile border at the southern end of these four States it is almost impossible adequately to screen all these aliens who come in. Yet there is some duty, there is a social responsibility upon those who hire these wetbacks, to see that they do not employ illegals, but they do not want this responsibility; they want to continue to hire these wetbacks. I do not question the sincerity of those who argue here for this bill. I do question the huge farming interests who want to put something over on the gullible and unwary. But I am not fooled. There is no doubt that the huge farming interests want this bill just to have an excuse to use the wetbacks. If they are sincere, why object to an amendment?

Mr. WIER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. WIER. I wonder if the gentleman from New York is familiar with the position of the distinguished Senator from Louisiana, Mr. ELLENDER, who on April 26, during a discussion of this legislation, made this statement relative to the subject now before the Committee, and I cite the position of the distinguished Senator on the wetback problem.

Mr. CELLER. Yes; I think I am.

Mr. WIER. I quote: "Mr. President"—

Mr. CRAWFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CRAWFORD. Are the rules being violated by quoting what some Member of the other body stated on the subject under debate?

The CHAIRMAN. It is contrary to the rules of the House to refer to the debate in another body on a particular matter. The gentleman will proceed in order.

Mr. CELLER. There is weighty opinion in Washington in both Houses to the effect that we should put sanctions in this statute. In the other body they provided that the sanctions would be in the form of a penalty involving 2 years in jail; they made violation a felony. I think that is entirely too strong. I would make it a misdemeanor involving a fine of not exceeding \$1,000—it could be anything up to \$1,000—and a jail sentence not exceeding 1 year; it could

be for a day or more than a day up to 1 year.

A case was brought before the United States district court by the Immigration Service—the case of a wetback. The case went to the Supreme Court. I read the import of the opinion of Mr. Justice Rutledge, handed down in 1948 in the case of *United States v. Evans* (333 U. S. 483). Mr. Justice Rutledge said that—

There is no doubt that Congress intended to make the act of concealing and harboring any alien not duly admitted or unlawfully in the United States and not entitled to enter or reside in the United States a criminal act. The actual bringing in of such aliens undoubtedly was intended also to be a crime. But Congress' intent as to the penalty therefore is so unclear as to make it impossible for the Court to set it out.

But I want to do away with the ambiguity, which is a loophole in the law through which all these wetbacks can come in. Presumably, it may be unlawful, but there is no penalty. It is like saying, by law, do not sin, but if you sin there will be no punishment. What good is such a declaration? It is about as useful as a 2-foot yardstick.

That is like making a great pontifical declaration period. In order to avoid that, we have to prescribe a penalty so that the Supreme Court can finally say when the border patrol apprehends a wetback the person who harbors or hires the wetback intentionally and with knowledge shall be guilty of a crime and will be subjected to punishment. All the Poage bill does is to make a nice, pretty declaration. It is a nice pronouncement, it is harmless language, but it has no earthly use whatsoever to keep out the wetbacks and those who come in illegally, unscreened as to morals, not investigated as to their political affiliations and so forth.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New York.

Mr. KEATING. I am sympathetic with the objective of the gentleman and feel that perhaps something should be written into this law along the lines of his suggestion; but I am greatly worried over the wording which the gentleman has suggested in imposing a criminal penalty in a case where a person has reasonable grounds to believe or to suspect something; then later in the gentleman's amendment the word "suspect" is again used.

Mr. CELLER. I will say to the gentleman we have to put language in there that has real teeth. It is the language generally adopted by the Senate.

Judging from what we heard yesterday, it would appear everything is sweetness and light, and all these persons who retain and hire these wetbacks are perfectly angelic, they do not intend any wrong whatsoever. But that is not the case. I pass around among the Members the wretched housing conditions under which these wetbacks are compelled to live. The houses they live in are not fit for pigs to be left in and the record shows that these habitations and stockades which these huge interests set up to house these wetback are unsanitary,

are rat-infested, and breed all manner and kinds of diseases.

Let me quote in part from the report of the President's Commission on Migratory Labor in American Agriculture:

The wetback undergoes no health or physical examination as he illicitly enters the United States. The bringing in of disease and contagion cannot, therefore, be avoided. Moreover, while he is here as an illegal alien, the wetback will not ordinarily risk the chance of apprehension by seeking medical or health assistance. Reciprocally, the health and medical service agencies that might otherwise be ready to provide assistance for residents will ordinarily be foreclosed to the wetback, even if he were to seek aid, because of residence ineligibility. This circumstance does not arise with legal foreigners for whom provision is made.

One of the most sensitive indicators of the state of public health in any population is the rate of infant mortality. This is defined as the number of deaths under 1 year of age per 1,000 live births. For the United States at large, this rate in 1948 was 32. The State-wide average for Texas was 46.2; for the 28 counties of Texas on or immediately adjacent to the border, the average rate was 79.5.

A wetback is in no position when offered work to ask whether there is satisfactory housing or indeed whether there is any housing at all. Members of this Commission personally inspected wetback camps in the Lower Rio Grande Valley, in the El Paso Valley, and in the Imperial Valley. Where the wetback makes up the major proportion of the seasonal and migratory work force, virtually no housing, sanitary facilities, or other conditions of civilized living are supplied. Where the wetback concentration is proportionately less, housing conditions tend to improve but even so, remain far below the level of decency. A witness testifying at Brownsville did not overstate the squalor of the housing and living conditions that are much too common in the Lower Rio Grande Valley when he said, "I have seen, with my own eyes, people living in these shacks and sheds, getting their water to use, drink, and cook with out of irrigation ditches, no type of sanitary facilities, bathing or toilet facilities of any kind within sight; living in shacks that I wouldn't put a horse in."

Speaking of the Imperial Valley, a deputy labor commissioner of the State of California told us:

"The plight of the wetbacks I consider very serious there because the majority of them live on the ditch banks or in shed housing which is very, very poor. I would say that this is true mostly with the small farmers rather than the large growers as most of the large growers have facilities, but the small growers or the small operators get them to live on the ditch banks or a chicken house. I have seen lots cleaner and better chicken houses for chickens than I have seen for human beings in the Imperial Valley."

The traffic in wetbacks reveal unspeakable rapacity and greed. The users and employers of these wetbacks who actually know they harbor and employ these illegals are directly and indirectly guilty of this rapacity and greed.

I again quote from the President's Commission on Migratory Labor in Agriculture:

Wetbacks who are without funds to pay the smuggler for bringing them in or to pay the trucker-contractor who furnishes transportation and direction from the boundary to the farm are frequently sold from one exploiter to the next. For example, the

smuggler will offer to bring a specified number of wetbacks across the river for such an amount as \$10 or \$15 per man. The smuggler or boatman with his party in tow will be met by the trucker-contractor who will then buy the wetback party by paying off the smuggler. This trucker-contractor, in turn, will have a deal to deliver workers to farm employers at an agreed-upon price per head.

There are other well-known and well-established practices to facilitate and encourage the entrance of wetbacks. They range from spreading news of employment in the plazas and over the radio to the withholding from wages of what is called a "deposit" which is intended to urge, if not guarantee, the return to the same farm as quickly as possible of a wetback employee who may be apprehended and taken back to Mexico.

The term "deposit" requires some explanation. Members of this Commission personally interviewed wetback workers apprehended by immigration officers in the Lower Rio Grande Valley. These workers had been paid for the cotton they had picked during the preceding 2 or 3 weeks. However, their employers had withheld \$10 to \$15 from their pay. Such sums, we discovered, are known as "deposits." To redeem this deposit, the wetback was required to reenter illegally and to reappear on the farm employer's premises within 10 days.

Once on the United States side of the border and on the farm, numerous devices are employed to keep the wetback on the job. Basic to all these devices is the fact that the wetback is a person of legal disability who is under jeopardy of immediate deportation if caught. He is told that if he leaves the farm, he will be reported to the Immigration Service or that, equally unfortunate to him, the Immigration Service will surely find him if he ventures into town or out on the roads. To assure that he will stay until his services are no longer needed, his pay, or some portion thereof, frequently is held back. Sometimes, he is deliberately kept indebted to the farmer's store or commissary until the end of the season, at which time he may be given enough to buy shoes or clothing and encouraged to return the following season.

When the work is done, neither the farmer nor the community wants the wetback around. The number of apprehensions and deportations tends to rise very rapidly at the close of a seasonal work period. This can be interpreted not alone to mean that the immigration officer suddenly goes about his work with renewed zeal and vigor, but rather that at this time of the year cooperation in law enforcement by farm employers and townspeople rapidly undergoes considerable improvement.

Of course we have to be mighty careful when we devise a penalty to be sure that only those who harbor, those who retain, those who hire wetbacks have knowledge or reason to believe or could easily find out those whom they employ are wetbacks shall be subject to penalty. Intent must be proven before conviction. It is a very simple matter for those who hire a wetback to ask the wetback: Where is your card issued by the immigration authorities? Where is your social-security card? Identification would not be difficult.

Up in New York or up in Rochester, for instance, where the gentleman from New York comes from, or out in Chicago, where the gentleman from Illinois comes from, if anyone would hire, retain, harbor, and give comfort to an illegal alien coming down from Canada or coming in from Poland or Russia or what have you, they would be on top of that indi-

vidual in a minute, would detain him and invoke all possible penalties against him. But when it comes to farm laborers who come from Mexico, no. The shoe is on the other foot. Texas employers of wetbacks and aliens illegally are sacrosanct. We put the aura of legality around everything they do. I cannot swallow that.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New Mexico.

Mr. FERNANDEZ. I appreciate the sincerity of the gentleman and his desire to do something effective, but does he realize that there are thousands of these alien Mexicans who fall within the category described by the gentleman's amendment who have dependent children born in this country, therefore are American citizens, and who would be starved out?

Mr. CELLER. If they are American citizens they do not come within the purview of this amendment. I do not wish to and actually do not harm American citizens. Any citizen can produce easily records to show his citizenship.

Mr. FERNANDEZ. I am speaking about the parents.

Mr. CELLER. If they are American citizens or children of American citizens, they are not within the four squares of this legislation whatsoever.

The employers of wetbacks think they have a vested right to them.

I quote from the report of the President's Commission once again:

Although farm employers testified they preferred legal to illegal labor, their position comes to this: If Mexican labor cannot be obtained legally on terms satisfactory to the employers, they will obtain Mexican labor illegally. The manager of the Agricultural Producers Labor Committee said as much in his testimony at Los Angeles:

"If Government red tape and the inability of the two Governments involved prevent us from putting under contract the help we need during the peak harvest seasons, we will use wetbacks, because we are going to harvest our crops. We have wetbacks in our employ today. In fact, one of our association's representatives is in El Centro and Calexico today legalizing wetbacks."

Arizona has the least wetback traffic. This unequal access to wetback labor causes resentment, as is well expressed in the testimony of the manager of the Arizona Cooperative Cotton Growers' Association:

"Our farmers for several years have had a continuous and loud complaint that their friends and acquaintances in other bordering States have a comparatively large supply of wetback labor, while in Arizona the border patrol very successfully and carefully enforces the law against illegal aliens on the ranches. We have never tried to exert pressure to have this enforcement relieved, but we do want to call the attention of high figures (officials) to the fact that the other States should be treated alike; that if enforcement is being relaxed in other States, it should be relaxed in Arizona; that if enforcement is going to be strict in Arizona, we want it strict in other States."

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. COOLEY. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York.

Mr. Chairman, I would like to make it perfectly clear that the House Com-

mittee on Agriculture is not interested in perpetuating the influx of wetbacks into this country. There is nothing in this bill that impairs or imperils any of the immigration laws of this Nation. It is amazing to me to hear the distinguished gentleman from New York, the chairman of the Committee on the Judiciary, charged with the responsibility of giving attention to the immigration laws, standing in the well of the House and denouncing a bill from the Committee on Agriculture which in no way interferes with the jurisdiction of the gentleman's committee. He stood here yesterday with tears in his eyes, almost, begging you to protect the health of the people of this Nation from the loathesome hands of the Mexicans that were coming in with all kinds of diseases that were likely to destroy the health and habits of our people. Why does the gentleman not go to his own committee room and assemble his own committee and do something about the wetback problem? That is not my problem; that is his problem. The wetback problem is deplorable. There is a responsibility, and all of us know where it belongs, and it is not in the Committee on Agriculture. If we, by chance, should be bold enough or audacious enough to come out with a bill that interfered with the gentleman's jurisdiction, he would be the first one to protest about it. Why does he not look after the aliens of New York and catalog them and examine them? What is fair for the goose is also fair for the gander. If they want to clean up this country of all aliens, they will have the cooperation of the gentleman from North Carolina and other members of our committee. I am anxious to enforce the immigration laws and I want them enforced, and I am not willing to do anything to weaken them.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield for a question.

Mr. CELLER. I would say that the Committee on the Judiciary has inaugurated an investigation of the wetback situation, and that investigation is in process now. The gentleman from Pennsylvania [Mr. WALTER] is chairman of the subcommittee, and they are going down into the various areas and checking on that very matter. We are working on it.

Mr. COOLEY. That is not a question. The gentleman's committee started working on this problem after I had appointed a subcommittee and after our subcommittee had conducted hearings throughout the country.

Mr. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from California.

Mr. JOHNSON. Furthermore, the wetback problem is over 25 years old. This has been going on for a long time.

Mr. COOLEY. Certainly, and there is nothing new about it. For the gentleman from New York to become so zealous and intemperate and refer to the cotton farmers of the South as a bunch of predatory pimps and procurers is intolerable.

Mr. CELLER. I did not say that.

Mr. COOLEY. That is what I understood the gentleman to say. He said that the little ones were the pimps but the big ones were predatory pimps and procurers, as I understood it.

This amendment appears to me to be just about as ridiculous as the gentleman's argument in support of it. He would make it unlawful for an American citizen to fail to report a person whom he suspected of being in this country illegally. Is there any precedent, I ask you, in all the legal jurisprudence of this Republic that you could point to for support of any such proposal as that?

If, by chance, an American citizen, some farmer in some section, failed to comply, he could be fined and imprisoned.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Texas.

Mr. POAGE. I fear he has misunderstood the gentleman from New York, because his amendment does not say that if anybody suspicions anyone else of being in here illegally that he is guilty of any crime if he does not report it, but only if an employer, who suspicions a Mexican being in here illegally, does not report him. If he is living in New York City he is not guilty of any crime.

Mr. COOLEY. That is right, as long as he is not a Mexican.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from New York.

Mr. KEATING. The amendment goes further than that and says, if he has any reasonable grounds to suspect.

Mr. COOLEY. That is right.

Mr. KEATING. I do not agree entirely with the gentleman from North Carolina. I would like to support an amendment on this general subject, but I cannot support the amendment offered by the gentleman from New York.

Mr. COOLEY. Certainly the gentleman would want to support something that could operate with uniformity and in all sections of this country.

Mr. KEATING. And furthermore, something that would be constitutional.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

Mr. CELLER. I object, Mr. Chairman, unless the gentleman will respond to a question.

Mr. HOFFMAN of Michigan. Mr. Chairman, reserving the right to object, is there a condition attached to it?

The CHAIRMAN. The question before the Committee is the unanimous-consent request of the gentleman from North Carolina.

Is there objection?

There was no objection.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from New York.

Mr. CELLER. Is the gentleman acquainted with the fact that the other body passed an amendment making it a felony, and that I reduced it to a misdemeanor and the other body accepted it?

Mr. COOLEY. That may be true, but that does not mean that I am willing to accept it, nor does it mean that the House should accept it, and I do not think it is right for us to pass a law of this kind with all these penalties and pains in it, and make it applicable only to the Mexican people.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. The gentleman has just stated that there are no precedents in this country, or in the jurisprudence of this country, for a law of this kind, and he is eminently correct. I would like to point out to the gentleman and to the House that there was a precedent for such in Hitler's Germany and Mussolini's Italy. The fiery ovens of Buchenwald are still smoking from the burned flesh of a particular group of people because of their failure to report to Hitler and Mussolini the knowledge or suspicion which they had or should have had of some individuals who had violated Hitler's laws. America has never punished its people because of their failure or refusal to be snoopers and more particularly for their failure to report their suspicions of offenders of the law.

Mr. ELLSWORTH. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Oregon.

Mr. ELLSWORTH. I should like to make a correction or see that the committee is aware of the facts with reference to the statement just made by the gentleman from New York. I understood him to say that his amendment was identical with the provisions enacted by the other body. That is not the fact, because the amendment offered by the gentleman from New York states, "Any person who shall employ as farm laborers." Those words did not appear in the Senate bill and those words very distinctly modify the provisions of the bill proposed by the gentleman from New York.

Mr. COOLEY. I agree with the gentleman.

Mr. ELLSWORTH. He sets out a certain class of people to whom the law should apply, whereas the general practice is to make it apply to all.

Mr. COOLEY. It applies only to farm laborers. If it is adopted, you could bring them in for any other work except on farms. That is the very place we need them. I do not need them in my district, but there are 18 States in which the farmers are calling for aid to help them harvest the crops.

Mr. SHELLEY. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from California.

Mr. SHELLEY. May I ask the gentleman from North Carolina in all fairness if this is a fact, that the proposal

in a general nature, applying to all workers and to all employers, was stricken out on a point of order yesterday?

Mr. COOLEY. Yes, it was.

Mr. SHELLEY. Therefore, the only way that any penalty provision could be brought into the bill at all was by applying it to the title of the bill and narrowing it to agricultural labor.

Mr. COOLEY. The thing about it is that, the gentleman of course realizes, all of section 509 went out of the bill.

Mr. SHELLEY. That is right, but I do not want to leave the impression with those who were not here yesterday that this is just addressed to farm laborers.

Mr. COOLEY. Of course it is.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Texas.

Mr. POAGE. Is not that exactly the reason the Committee on the Judiciary ought to consider a matter of this kind and give some active consideration to it, rather than trying to amend our bill on the floor?

Mr. COOLEY. The gentleman is correct. Section 509 is properly within the jurisdiction of the Committee on the Judiciary.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Illinois.

Mr. YATES. How would the gentleman enforce compliance with the law other than through a penalty provision?

Mr. COOLEY. This is the confusion. We are not trying to legalize the entry of wetbacks. We are not dealing with the wetback problem except insofar as we are providing a legal method by which contract labor can be brought into this country under contracts negotiated between the Republic of Mexico and the United States Government.

Mr. YATES. Do not such contracts set forth certain conditions and regulations which farmers must obey?

Mr. COOLEY. That is right.

Mr. YATES. Suppose there is a violation of the contract provision, how would the gentleman enforce the contract?

Mr. COOLEY. The employer is held to account, first for the cost of transportation.

Mr. YATES. How?

Mr. COOLEY. All of this will be taken care of in the contract.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Texas.

Mr. POAGE. There are two provisions involved there, first the provision that before the farmer can get the contract labor he has to enter into an obligation with the United States Government to carry out the provisions of the contract, and second, that if he violates any of the terms of the contract he cannot get any more contract labor. To any man who is in the farming business, that is the most effective way to keep him from a violation.

Mr. COOLEY. And he has a civil liability at every moment of the time the man is in the country.

Mr. POAGE. The chairman of the Committee on the Judiciary is noted for the fact that he has sought to defend the rights of minority groups. He has sought to see that some minorities are not oppressed. The chairman of the Committee on the Judiciary with that creditable record in behalf of certain minorities now comes here and asks us to pass a piece of legislation which would utterly destroy the rights of a great group of American citizens, to wit, those American citizens of Latin ancestry. You cannot tell whether they were born in the United States or whether they were born in Mexico.

Our distinguished colleague who represents the State of New Mexico stood in the well yester day and pointed out that were this amendment to be adopted in all probability he would find it extremely difficult to secure employment anywhere under normal conditions or when there was a surplus of labor, because nobody could look at him and tell whether he was born in the United States or born in Mexico, and that he could not prove that he was born in the United States.

There are 3,000,000 of these citizens of Latin ancestry in the United States, and they are just as much citizens as the gentleman and I are. They were born here, but you cannot tell whether they were born in the United States or born in Mexico. They are the ones on whom the chairman of the Committee on the Judiciary would impose the burden, because it would be they who would not get employment. With this amendment in force, what farmer would employ an American of Latin descent if he could find somebody else to employ. He would say, "Why take a chance? Why employ you?" I might suspect that any man was of Mexican ancestry because perchance he could speak Spanish. This would put a penalty on every man who speaks Spanish. Are we going to do that sort of thing in the United States? Are we going to create discrimination by law against a great part of our citizens? Is that the kind of treatment the gentleman from New York advocates for minorities?

Mr. COOLEY. I just want to ask you not to lose sight of the importance of these objectionable amendments, because if the amendments are adopted, I am convinced we will just not have any legislation on the subject. I think this legislation is badly needed, and I hope you will vote the amendments down.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. CELLER. Since my name was not mentioned—reference being made to the chairman of the Committee on the Judiciary—I want to point out that it will simply be a matter, so far as the Mexican aliens are concerned, of them being possessed of a court order admitting them, and they could show that to the prospective employer. So far as engaging workers of Spanish-American origin, there is nothing unlawful about hiring those of Spanish-American origin.

Mr. JONES of Missouri. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think in this debate we have lost sight of the purposes of this bill. This bill was introduced to give some relief to the agricultural producers of America, who have been called upon to produce as they have never produced before. Down in my section of Missouri, and some people do not consider Missouri as a cotton-producing State, we will need 10,000 Mexicans if we are to get out the cotton crop that we have been asked to produce. I make that statement based upon a statement made by the Division of Employment Security at Jefferson City, in which it is said that we are going to need these employees. Substantiating this statement, I herewith quote a letter from the Division of Employment Security, Department of Labor and Industrial Relations of the State of Missouri, Jefferson City, Mo., under date of May 7, 1951, addressed to S. Crews Reynolds, president, Missouri Cotton Producers Association, Portageville, Mo.:

DEAR MR. REYNOLDS: I want you to know that I share the concern expressed in your letter of May 3, regarding labor supply for your cotton crop this year. We are directing our efforts to the supplying of every possible assistance in recruiting the necessary workers for cotton chopping and picking in southeast Missouri, and I expect to fully support the importation of any workers from outside the United States that may be necessary to supplement our available labor supply.

The following answers to your specific questions are based on the best information that we can obtain. As you suggest, the questions are difficult, but we at least have some background of experience to support our estimates on labor supply and demand for cotton production this year.

1. Under normal conditions the production of 600,000 acres of cotton, plus other crops in the cotton counties, requires about 53,000 workers at the peak of cotton chopping. Due to mechanization in crops other than cotton, and due to the fact that acreage for other crops varies in relation to the amount of acreage set aside for cotton production, we believe that labor for crops other than cotton can be handled without any material increase in the total of workers estimated for the cotton crop. This same observation also holds for the harvesting season.

2 and 3. We estimate that approximately 38,000 workers in the local area will be available for cotton chopping. This will leave an additional need for 15,000 workers at the chopping peak. We estimate that 3,000 of the 15,000 workers will be obtained from adjacent and other areas in Missouri, and that approximately 12,000 will have to be brought in from out of State areas. We believe that the necessary 12,000 workers can be obtained from the States of Texas, Arkansas, Tennessee, Illinois, and Kentucky, and doubt that workers imported from outside the United States will be necessary during the chopping season.

4. We estimate that a total of 100,000 workers will be required under normal conditions to harvest 600,000 acres of cotton. This means 100,000 "different" workers, as the average worker does not work throughout the cotton-picking season. We further estimate that approximately 86,000 workers will be needed for the peak of the cotton picking season during the latter half of October. As I stated in an earlier paragraph, other crops in the area, we think should be harvested without materially increasing the total of workers required for the cotton crop.

5. It is our estimate that approximately 50,000 local workers will be available for the cotton-picking season.

6. On the above basis, about 35,000 or 36,000 workers from outside your local area will be needed for the peak of your cotton harvest. We estimate that 5,000 to 6,000 of these additional workers will come from other areas in Missouri, and that probably up to 30,000 will need to be brought in from outside the State. Migratory workers from the States of Texas, Arkansas, Illinois, Kentucky, and Tennessee constitute the usual source of supply for pickers during the season peak.

It is our opinion at this time that it may prove difficult to obtain all of the 30,000 additional out of State workers from the States indicated. You may be interested to know that we had a meeting last Wednesday with Representatives Wallace, Buckley, Sando, and Penman, who with others sponsored the recent House resolution with reference to the urgency of the labor-supply situation for cotton production in Missouri. We agreed with these gentlemen that probably up to 10,000 Mexican nationals may be needed to supply the possible deficit in our available labor supply during the cotton harvest. If it is necessary to import such workers I will use all the means within my power in an endeavor to obtain these workers for you.

As a matter of interest to you, Mr. Charles Kenyon, our farm placement representative, is in Austin, Tex., this week to make any preliminary arrangements that may be possible to direct Texas migratory workers to Missouri this year. Also Mr. Joseph Feigenspan of our employment service is en route to old Mexico where we are hoping he may be very useful in representing our anticipated need for Mexican national workers for the cotton harvest.

You will find enclosed a short narrative which will give you some detail regarding the organization and program maintained by our agency to assist cotton producers in their labor supply problems. This narrative also contains our preseason estimates on labor supply and demand for Missouri cotton production this year, and I believe it will, to some extent, amplify my reply to your questions.

I appreciate your interest in writing to me, and will be very glad if you will advise me at any time that you believe I may further assist you.

Very truly yours,

CHAS. A. RICKER, Director.

Also I would like to present herewith a copy of a resolution adopted in the House of Representatives of the Missouri Legislature, pertaining to this same subject:

House Resolution 90

Whereas by reason of national mobilization for defense production the Federal Government has requested that the acreage used for the growing of cotton be increased to 30,000,000 acres in 1951, an increase of 11,000,000 acres over that grown in the year 1950; and

Whereas Missouri's quota of such acreage devoted to the growing of cotton has been fixed at 600,000 acres; or 40 percent over 1950 planted acres; and

Whereas cotton constitutes the largest cash agricultural crop produced in the State of Missouri; and

Whereas such increase in acreage as well as increased production required in the production of all agricultural products, will necessarily require a substantial increase in the number of farm workers to plant, cultivate and harvest such crops; and

Whereas in the year 1950, out of a total of approximately 100,000 workers required to handle the cotton crop, over 42,000 were brought into the State for such purpose; and

Whereas the Government is building and will soon operate an atomic bomb plant at

Paducah, Ky., which will require thousands of employees in its operation, most of whom will be drawn from southeast Missouri and on the neighboring States of Kentucky and Tennessee, thus further reducing the potential labor supply; and

Whereas the increased acreage as aforesaid will require about 20 percent more workers in 1951 than was used in 1950 to plant and cultivate said cotton crop and about 30 percent more workers for the harvesting of such crops: Now, therefore, be it

Resolved, That the Federal Government, the United States Employment Service, and the Missouri State Employment Service be requested by the House of Representatives of the General Assembly of Missouri to lend assistance to the cotton growers of this State in providing adequate numbers of farm workers to enable the production of the amount of cotton required as aforesaid; and be it further

Resolved, That a copy of this resolution be forwarded by the chief clerk of the house to the President of the United States; to Senators Thomas C. Hennings, Jr., and James P. Kem; to Hon. Paul C. Jones, Representative in Congress of the Tenth District of the State of Missouri; to the Honorable Maurice Tobir, Secretary of Labor; Hon. Robert Goodwin, Director of the United States Employment Service; to Gov. Forrest Smith, and to Hon. Charles A. Ricker, director of the Division of Employment Security of the State of Missouri.

I think it is very unfair for people who are not acquainted with this situation at all, and I have noticed that most of those who are speaking against this bill have never had any experience with this type of labor, to attack the bill. This bill is not for the purpose of helping any wetbacks to get into the country. If you will read the bill as it was approved by the committee, you will find it was to permit the legal entry of emergency temporary agricultural workers. Now, some do-gooders would try to cover up or correct mistakes which should have been corrected by some other committee, by putting on a rider to this bill. I think you should consider the fact that in the other body the section which was adopted as an amendment to the original bill was declared out of order here yesterday. Then they seek to put on another amendment here which has not been considered by the committee and which could not properly have been considered by the Committee on Agriculture, which brought forth a good bill, which will give relief. In view of the action taken yesterday, I believe most people will agree that we should pass the bill as originally reported by our committee.

I ask all of you people who are interested in helping the agricultural people and the farmers of this country who are sorely in need of labor, to help the farmers and to help us get through a bill which will permit the legal entry and legal contracting of these workers and leave the correction of any inequities or any illegalities that may exist to the proper committee.

All I ask is that the farmers and the people who are producing be treated fairly and be given an opportunity to bring in these workers who are so sadly needed in this emergency.

For that reason I ask that the amendment of the gentleman from New York be defeated and that the Senate substi-

tute be defeated, and that we adopt a bill which has been considered and approved in committee, and not a bill written on the floor of the House because we will make the same mistake in doing that that they made in the other body when they adopted an amendment which was out of order, although the point of order was not raised there at the time—and I think if it had been raised there, we would not have had this thing come up here.

Some of the opponents of this bill who apparently are posing as experts on this subject merely because they have read a series of newspaper articles written by a New York correspondent seem to place implicit confidence in this one man's opinions and apparently have sought no further information. It is rather amusing to note that not less than three of the opponents have each seen fit to have inserted in the CONGRESSIONAL RECORD, either all or excerpts from this series of articles and appear to be basing their case wholly upon the writings of this one man. Here again the opponents persist in calling attention to the existence of a problem which no one denies does exist, despite the fact that it may be greatly exaggerated, but at the same time it is not a problem which should be corrected by the bill before the House or by any legislation emanating from the Committee on Agriculture. The age-old problem of the illegal wetbacks is one which should be corrected by the Committee on Judiciary after the proper consideration and not be hastily-drawn legislation on the floor of the House.

As to the problem presently before the House, I have stated my position on several occasions along the lines contained in the following excerpt from a recent weekly newsletter which appeared in most of the newspapers of my district, as follows:

Reconsidering its previous action, the Committee on Rules on last Wednesday granted a rule permitting the migratory (Mexican) farm labor bill to be brought before the House for consideration. Members from the cotton-producing States, where such labor is used, are hopeful that this bill will be brought up some time during the coming week. While there is considerable opposition to the bill, I think most of this comes from the fact that many people, including some of my friends in southeast Missouri, do not appreciate the problem which we are facing as a result of a labor shortage which appears to be likely this fall unless some arrangements are made to import some of this emergency migratory labor.

A recent communication from the Division of Employment Security in Jefferson City states that a recent survey indicates that approximately 86,000 workers will be needed for the peak of the cotton-picking season in southeast Missouri during the latter half of October. That office estimates that approximately 50,000 local workers will be available and that an additional 5,000 to 6,000 workers will come from other areas in Missouri. In addition, there will be migratory workers from the States of Texas, Arkansas, Illinois, Kentucky, and Tennessee who will be attracted to our section during the cotton-picking season. In checking the possibility of obtaining outside labor from adjoining States, the State employment service estimates that probably up to 10,000 Mexican nationals may be needed to supply the possible deficit in our available labor supply

during the cotton harvest. This agency has been working with a delegation from the Missouri State Legislature which recently adopted a resolution urging "the Federal Government, the United States Employment Service, and the Missouri State Employment Service * * * to lend assistance to the cotton growers of this State in providing adequate numbers of farm workers to enable the production of the amount of cotton required. * * *

Despite the fact that under normal conditions few of us like to see any type of migratory or foreign labor come into our community and would much prefer to have all of this work done by citizens residing in our own communities, I think we must recognize the situation that due to the fact that Missouri has planted its largest cotton crop in the face of an impending labor shortage, it is imperative that we make such arrangements as are necessary to provide for the picking of this crop. Only by obtaining an adequate supply of labor can southeast Missouri and other cotton-producing sections of the Nation reach the production goals which have been called for by the Secretary of Agriculture, and it is also necessary that this labor be made available if our farmers are to avoid the great loss which would follow failure to harvest what may prove to be a record-breaking crop.

Under the law we are seeking to pass, all foreign labor would be available only after the United States Department of Labor had certified that domestic labor was not available at the time and place needed to perform the work for which such workers are to be employed; (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed; and (3) reasonable efforts have been made to attract domestic workers for such employment at wages and standard hours of work comparable to those offered to foreign workers.

The urgency for this legislation is brought about by the fact that the agreement between the United States and Mexico under which Mexican agricultural workers are permitted to enter this country under contract to perform certain specific work expires on June 30 and the Mexican Government has already indicated that it will not be favorable to renewing this agreement until some legislation has been passed.

(Mr. JONES of Missouri asked and was given permission to revise and extend his remarks.)

Mr. HOFFMAN of Michigan. Mr. Chairman, I rise in opposition to the amendment.

(Mr. HOFFMAN of Michigan asked and was given permission to revise and extend his remarks.)

Mr. HOFFMAN of Michigan. Mr. Chairman, this piece of legislation is distasteful to some of us because we think it opens the door to bringing in people who are undesirable and who might be permitted to remain here. However, the present administration has created the conditions which make it necessary that some of our fruit growers and farmers have help. This administration has taken the boys from the farms, out of the orchards and berry patches and sent them overseas to fight in a war the purpose of which is still—after a year of fighting—unknown. This administration will have 2,000,000 or 3,000,000 more young Americans, if their plans succeed, over in Germany pretty soon. It will keep our young men in military service for seven or more years if it has its way.

The old folks, 60 and 65 years of age, in my district, and I notice along the road as I drive home through Pennsylvania, Ohio, and Indiana, who are operating the tractors in the fields long after the sun goes down, yes and often all through the night. The old men and the old women are trying to farm, and produce the food for our people and for our Armed Forces. They are finding it difficult. They just cannot complete their task and do a worth-while job without help. The gentleman from New York [Mr. CELLER] who knows so much—and I do admire his educational ability—he has traveled, as I understand, all over the world and he knows quite a bit about slums, I take it that he could have learned more about that right at home in New York than anywhere else. Gratuitously—we did not pay him for it, and I do not think that anyone else did—he gave it to us from the goodness of his heart, he criticized and took a crack at the farmers because, he contends, they are not treating migrant laborers as they should be treated. He intimidated some of our farmers and fruit growers are compelling these people to live in slums. Well, it is unfortunate that the gentleman does not get on a horse or take his automobile, or a plane, and get out to Michigan, for example, over on the west side of the State, next to the lake where people live like human beings and treat not only their neighbor—yes, everyone with whom they come in contact with kindness and consideration. He will find mile after mile along that lake shore and going back several miles from the lake shore clear up to Petoskey, Mich., land under a high state of cultivation; he will find square mile after mile of berries and fruit of all kinds being grown and harvested. He will find miles of orchards producing millions of bushels of apples, peaches, pears, plums. He will find people coming in from Mexico principally, however, from some of the other States to the southwest living there, some of them making as much as \$50 a day picking berries by the pound. He will find them, true, living outdoors in tents, cabins or shacks. He will find them out in God's sunshine and clear air, their living and sleeping accommodations similar to all living and working conditions where people are seasonably employed. He will find them eating good food, sleeping in good beds. He should go see those so-called slums, as he calls them. People are there who have come back year after year for 10, 15, or 20 years. Those people come back every year because they find the work profitable, the living conditions satisfactory. They get this fresh air, they get this good food, pure water, plenty of milk, eggs, fruit—oh, yes, and they get some meat once in a while too, quite often, much oftener I think than the average dweller in New York city; and year after year they come back. They live better in western Michigan than many do at home. They like it, they earn good wages, they have a vacation up there, in many cases with members of their families; they work and save their money, and they go back home with a pocket full of money and they go back much stronger, healthier than when they came. They like it;

the work is good for them. They go home fat, healthy and happy—thinking of the day when they can return. These folks from New York and the other cities who are complaining about legislation—I suggest to the gentleman and others that they go back to their home cities, clean up their own slums and send some of the people who live there, if they really want to enjoy a vacation this summer, send them out to Michigan. We will give them plenty of everything they ought to have not only for their material body, but we will get a little more religion and patriotism into some of those who have never seen or lived in the country—in the great outdoors. Because they live out in the open—room to move around—to see and enjoy the sunshine during the day—good restful sound sleep during the quiet nights—they will be better Americans for the experience.

Mr. McCARTHY. Mr. Chairman, I ask unanimous consent that all debate on this amendment end in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

Mr. YORTY. Mr. Chairman, I object.

Mr. FERNANDEZ. Mr. Chairman, I rise in opposition to the amendment. I am going to admit to start with that this amendment which the gentleman has offered is effective if what you want to do is to starve every illegal Mexican alien out of this country; it is most effective. The trouble is that it affects and punishes a lot of other laborers who are not Mexican aliens, but Americans. As I said yesterday, a man of my nationality, American, but of Mexican or Spanish descent, with a Mexican or Spanish name, would be very adversely affected in his efforts to obtain employment.

This amendment would require the farmer to become a policeman, an investigator, an informer, or run the risk of being a criminal. And you know very well that the average farmer is not going to run any such risk by employing anybody unless he can present an immigration card—and I could not do that myself. Once people like myself leave their States or communities in search of work, it would be most difficult to present proof that they are American citizens, American born. The simple fact of the matter is that they did not have any system of reporting births in my State until late years, and even now it is not the best.

In addition to those people I have already mentioned, there are thousands of Mexican aliens, some of them having lived here 10, 15, and 20 years, many of them with dependent children who were born in the United States, and are American citizens, yet their parents are Mexican aliens, and most would fall in the category covered by this amendment. Under this amendment, the farmers could not afford to employ the parents of those dependent American children. Under this amendment, you propose to starve them and their children.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. FERNANDEZ. I yield to the gentleman from West Virginia.

Mr. BAILEY. The gentleman says they could not produce a birth certificate. Why would not a social-security

card be all right? I will answer the question for the gentleman—because the social-security laws are set aside by this bill and amendment and they would not be sufficient. That is the answer.

Mr. FERNANDEZ. That is a poor excuse for the gentleman's position. I have no social-security card. The social-security card is no answer, nor does the amendment provide any exception in cases where a man does carry a social-security card.

Mr. BAILEY. This amends the social-security law.

Mr. FERNANDEZ. If the substitute does that, the gentleman seems to be supporting it. The trouble with this amendment is that it is wrong in principle. To starve people into submission is wrong in principle, it is un-Christian, it is un-American. We are using a weapon that is wholly foreign to American concepts of justice. This country is too great to resort to that. That great humanitarian, President Roosevelt, would have never tolerated any such inhumanity to poor people seeking a livelihood. Our immigration officials can, if they will, cope with the problem. Proof of that is that this last year they returned over 600,000 illegal Mexican entrants back to Mexico. The trouble is that the border officials are not enforcing the law in some places as they are in Arizona and New Mexico, where there is no problem of excessive illegal immigration.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. FERNANDEZ. I yield to the gentleman from New York.

Mr. ROOSEVELT. I am seeking information. I am very much interested in the point the gentleman makes about the farmer not daring to run the risk of hiring someone, as the gentleman, for instance. First of all, the action would only come up if a Government attorney brought an action against the farmer?

Mr. FERNANDEZ. That is correct.

Mr. ROOSEVELT. In order to do that he would first have to prove that the employee was not a citizen of the United States and secondly, he would have to prove intent on the part of the farmer to employ a noncitizen.

Mr. FERNANDEZ. Yes; in order to convict him, but you could have farmers being hauled up to court and harassed, and the farmer shuns litigation like the plague. So he would demand an entrance certificate before taking the risk of employing anybody with a Spanish name. Can you blame him?

Mr. ROOSEVELT. The gentleman is really worried about possible harassment?

Mr. FERNANDEZ. That is right. You could not convict a man in my State for hiring a needy Mexican laborer, but the zealous Government can harass him, and he is not going to take any chances on being hauled into court, nor will he submit to becoming an informer, a gestapo agent.

Mr. ROOSEVELT. I sense a good deal of emotion in this debate, and I am trying to get away from that. What the gentleman is really worried about is the possible harassment and what the

gentleman has just said actually is that the farmers are going to employ these people anyway regardless of whether they are citizens or not?

Mr. FERNANDEZ. Indeed not. He will employ only the Mexican with an immigration card and the Negro to the exclusion of Americans who look, speak, and have names like the Mexican nationals. I said any provision that would tend to involve the farmer or make him an informer is most effective in denying employment to people who are or look and talk like Mexican aliens, but who have no immigration card. Such result is inhuman in that it starves the Mexican who is guilty, and the native American of Mexican descent who is innocent.

The CHAIRMAN. The time of the gentleman from New Mexico has expired.

Mr. FERNANDEZ. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. FERNANDEZ. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Let me ask the gentleman this question in all seriousness. We are conducting hearings on furnishing eight and a half billion dollars more of economic aid. Why not put this in as a contrary movement to economic aid, feed part of the world on the one hand and fix it so that our own citizens and our good neighbors across the Rio Grande cannot work in this country. Let us stigmatize them, let us starve them to death, while we feed all the others.

Mr. FERNANDEZ. Yes, this amendment has that effect, it starves them out, to be rid of them, and it starves American adults and American children along with them.

Mr. LYLE. Mr. Chairman, will the gentleman yield?

Mr. FERNANDEZ. I yield to the gentleman from Texas.

Mr. LYLE. What this amendment proposes to do in effect is to make every man of Mexican name, every man who is of Latin-American descent, a suspect?

Mr. FERNANDEZ. That is right.

Mr. LYLE. It would be embarrassing to them, they would hesitate to drive up and down the area where Mexicans live.

Mr. FERNANDEZ. Yes. We have native Americans in New Mexico, natives we are called, who go to Wyoming to the sheep camps, to Colorado for the beet fields, to the Northern and Western States on other crops. They could not afford to make the trip and then come back disappointed, because they could not present an immigration card, which of course they could not. That is the trouble with the amendment.

Mr. YORTY. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, I certainly have nothing against our farmers. I am certainly not against the best interests of the farmers of my own State. I do want to do something about the wetback problem. As one of the gentlemen from

California suggested previously, this is a very old problem. It was with us when I went to the Legislature of California over 15 years ago. It involves, as well as foreign labor, migrant workers who are not from Mexico. The conditions under which these people work are deplorable and if I had time enough to describe them I am certain the factual description would shock the conscience of every Member of this House. These unfortunate people have to live under deplorable conditions without medical attention or the most elemental necessities.

I am for bringing in the contract workers where it is necessary, where you cannot get local help. It is one way to help solve a problem but I do want the emphasis to be on legal contract workers and I favor the amendment which would make it hazardous to employ those who come in illegally.

There is also an element of good faith involved in this amendment. The senior delegate of the United States in his negotiations with the delegates of the Republic of Mexico promised the Mexican delegates he would sponsor American legislation to place a penalty upon the hiring of wetbacks. I will say for him that he has at least introduced that kind of legislation over in the other body. If all of these arguments are valid; if you cannot identify these people; if you cannot separate Americans from Mexican nationals how could that promise to sponsor this legislation have been made in good faith?

I believe these arguments are specious, I think they are made by people who want to hire the wetbacks and who do not want to be forced to rely exclusively upon legal contract labor. Mind you, if they are willing to rely exclusively upon contract labor they do not have to worry about the penalty for use of wetbacks because it will not affect them.

Mr. MCCARTHY. Mr. Chairman, will the gentleman yield?

Mr. YORTY. I yield to the gentleman from Minnesota.

Mr. MCCARTHY. I have a memorandum from the Ministry of Foreign Relations, Government of Mexico, which expresses great concern over the news report that the House Rules Committee had refused to report favorably on S. 984.

Furthermore, the statement shows that the Ministry is so concerned over the apparent desire of some American farmers to use wetbacks they announce the possibility that the Government of Mexico would refuse to permit illegals to come back into Mexico. In other words, there are 500,000 or more over here, and when they come back to the border the Mexican Government says, "Prove that you are a Mexican citizen."

Mr. YORTY. I thank the gentleman. The point is this: Having made that promise to the Mexican delegation, can we, in good faith, when we have an opportunity to carry out our promise, refuse to do it, and on the specious ground that maybe the committee did not have jurisdiction.

I submit to you, if you look at the Reorganization Act under "Committee on

Education and Labor" you will find that this is a matter that falls within the jurisdiction of the Committee on Education and Labor. So this whole subject, if properly dealt with, in my opinion, should have gone to that committee. Unless we are going to refer legislation on the basis of who employs the particular labor involved, then this legislation should have been considered, in the first place, by the Labor Committee. So I say, at this time, we should keep our promise to the Republic of Mexico. We should put a penalty on the hiring of wetbacks and force the employers to rely on local or legal contract labor. This whole situation arises from a defect in our laws. We already have a law which we thought prevented the harboring and concealing of aliens illegally in this country. In United States against Evans the Court pointed out that the language of the statute was very ambiguous. The Court was not sure just how to apply the penalty provision of the act or what penalty to apply, and therefore they ruled that the matter should be referred to Congress for clarification. In discussing the definition of the penalty that was meant to apply for harboring and concealing, the Court said in that opinion:

We agree that Congress meant to make criminal and to punish acts of harboring and concealing.

So the plain intent of Congress could not be carried out by the Court because of the ambiguous wording of the penalty provision of the statute. We are, by the pending amendment, simply trying to clarify the statute, at least as to the so-called wetbacks.

I agree with General Eisenhower, who was shocked by this particular situation. Most of you know that General Eisenhower wrote to Senator FULBRIGHT and quoted from the revealing articles by Gladwyn Hill which appeared in the New York Times. He cited our use of wetbacks as an example of our decadent ethics and morals.

Mr. Chairman, I should like to direct the attention of the House to the following three telegrams which I have just received. I am not acquainted with the senders of the messages. I feel, however, that the Members will be interested in what they have to say about the pending bill.

CORPUS CHRISTI, TEX., June 27, 1951.
HON. SAMUEL W. YORTY,
House of Representatives,

Washington, D. C.:

The League of United Latin-American Citizens, a national organization covering five Southwestern States—Texas, New Mexico, Arizona, Colorado, and California—and representing more than 3,000,000 Spanish-speaking people of the Southwest United States, in its annual national convention, held in Laredo, Tex., on June 23 and 24, adopted the following unanimous resolution pertaining to wetback and imported labor:

"1. That Congress provide civil and penal punishments for persons who employ wetbacks (Mexicans who enter the United States illegally to find work).

"2. There should be no certification of a shortage of domestic labor to bring in braceros (Mexican workers) under contract unless domestic labor has been offered the same wages and working conditions as that required in importing alien workers.

"3. Wetbacks should be deported before any contract labor is imported.

"4. Alien labor should not be used to suppress wage scales and prevailing wages paid wetbacks should not be considered for any purpose in determining wage levels."

HECTOR P. GARCIA, M. D.,
American GI Forum of Texas.

CORPUS CHRISTI, TEX., June 27, 1951.
Representative SAMUEL W. YORTY,
House of Representatives,
Washington, D. C.:

The American GI forum of Texas joins with forum groups in Corpus Christi and surrounding towns of Sinton, Taft, Odem, Rivera, Robstown, Bishop, Kingsville, Alice, Woodsboro, Gregory, Laguna Acres, Molina, Refugio, Rockport, Aransas Pass, and many other places in Corpus Christi area in demanding investigation of request by the Corpus Christi, Tex., Employment Commission for certification of alleged need of 30,727 Mexican braceros for this Corpus Christi area.

Veterans groups and families in above-mentioned places strongly and emphatically oppose any importation of labor from Mexico into this area because there is enough local labor available here. Certification of labor shortage by local office is grossly inaccurate and phenomenally exaggerated. There are many thousands of American workers of Mexican origin here waiting for crop harvest but if labor is imported they will leave this area and migrate to Northern and Western States. Use of imported labor in this area will perpetuate mistakes of previous years when imported labor brought wages and wage rates downward to a point where semislavery wages prevailed. Local citizen populace now suffering results of imported labor as shown by undernourished, underfed, and poorly clothed children and families living in slum areas and falling easy prey to all sorts of killing diseases like tuberculosis and infant diarrhea.

Imported labor into this area will only perpetuate and increase the suffering and exploitation of our workers here who are waiting for agricultural jobs.

HECTOR P. GARCIA, M. D.,
Chairman, American GI Forum of Texas.

CORPUS CHRISTI, TEX., June 27, 1951.
Hon. SAMUEL W. YORTY,
House of Representatives,
Washington, D. C.:

The American GI Forum of Texas, representing 50,000 veterans and their families with the lowest standard of living in Texas, strongly favor the Douglas amendment to the Poage bill, which would penalize persons who knowingly employ wetbacks, thereby hurting the economic, social, and educational status of these veterans and their families who are now fighting a siege of death of diarrhea and polio due to lack of proper housing, plumbing, and sufficient nutrition. These wetbacks decrease the earning potential of the veterans who served and sacrificed themselves in the last war and of many who are now serving in Korea in order to make this country a better place to live in. The use of wetbacks is an act of treason to these veterans and their families and to the American economy. The Douglas amendment in its original form must, in any case, be a part of any treaty with Mexico regarding use of imported labor. Herewith follows a copy of resolution adopted by the forum at its latest convention at Corpus Christi, April 29, 1951:

"Be it resolved, That we, the undersigned citizens of Texas, do, by the inscription of our signatures hereto, endorse the action recommended in the following resolution circulated by the American GI Forum of Texas:

"Whereas Texas, and especially the Rio Grande Valley of Texas, is subject to the constant illegal immigration of aliens known locally as wetbacks; and

"Whereas laboring citizens of the United States are injured grievously competing with these illegal aliens for laboring jobs; and

"Whereas the practice of hiring illegal aliens has a further detrimental effect upon the economy of the valley, particularly in lowering purchasing power at the retail level; and

"Whereas the Government of the United States is charged with the responsibility of preventing illegal immigration; and

"Whereas a tremendous expense is entailed in the maintenance of a veritable army of border guards and, recently, of an airlift into the interior of Mexico; and

"Whereas the continuing illegal immigration of said aliens is fostered and encouraged by a ready market for low-cost labor; and

"Whereas the presence in Texas and the valley of these illegal aliens in great numbers constitutes a pool of cheap labor with which resident valley laborers cannot compete; and

"Whereas only cessation of the practice of employing illegal aliens will effectively stem the tide of illegal immigration: Therefore be it

"Resolved, That the Congress of the United States enact such legislation as is necessary to deter effectively the nefarious practice of hiring illegal aliens at un-American wages while citizens of the Rio Grande Valley and Texas are forced to travel great distances to earn livable wages doing the same type of work for which they are hopelessly underbid at home; be it further

"Resolved, That a copy of this letter be sent to the following: Vice President Alben Barkley; Secretary of State Dean Acheson; Speaker of the House Sam Rayburn; Representative Lloyd M. Bentsen, Jr.; Senator Tom Connally; Senator Lyndon Johnson; Senator Herbert Lehman; Senator Wayne Morse; Secretary of Labor Maurice J. Tobin; and to the Bracero Pact Commission.

"HECTOR P. GARCIA, M. D.,
"State Chairman, American GI
Forum.

"JOE ZAPATA, Secretary."

Mr. PHILLIPS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there is one similarity between the arguments of the gentleman from New York [Mr. CELLER] and the gentleman from California [Mr. YORTY]. They are both sufficiently far removed from the scene of the employment to be misinformed. They live in areas where there are many slums which they are unable to see and where there are many aliens whom they are unable to count. The largest farm in either area would be a window box and the principal agricultural product would be wild oats.

If I may, Mr. Chairman, let me give a few facts. The entire area that we are talking about, from Mexico to the Oregon border, once belonged to Mexico, and the original people in that area were Mexican people who left many of their relatives and descendants there. The Mexican border, like the Canadian border, is an open border. There is no way in which you could stop a Mexican citizen from coming into the United States, provided he had a visa from the Mexican Government and provided he was in good health and did not have a criminal record.

The gentlemen from the highly populated cities of the country wish to eat the products we raise, but also wish to take

from the area the labor that has been used in the methods under which we have farmed for 150 years.

When you talk about 600,000 people, which is entirely too large a figure—wetbacks—having been put back across the line, it is much less than that, what we do is to put the same Mexican back across the line, probably every week, maybe every day, and he comes back again. He sleeps at home and he comes back to work the next day. So the Immigration Department takes credit for one additional wetback on each trip. Can you picture in your mind, Mr. Chairman, a relationship like the State of Maryland and the District of Columbia? What you are asking us to do is to say that a man in the District of Columbia, who employs a man who is a resident of the State of Maryland, is subject to a fine of \$1,000, and is to be accused of a felony—or misdemeanor I think, in the gentleman's somewhat modified amendment. How can you tell whether the man lives in Maryland? How can you tell whether he lives in the District of Columbia?

In the area where I live the same people have picked crops for years and years. Why have they done it? Because we pay four times as much in the United States for agricultural labor as is paid in Mexico. The reason the wetback comes across is not because the American farmer desires him to come across as a wetback but because the conditions in Mexico are such that it is cheaper for him to come across a nonexistent line, than to pay the demands made of him by his own country. The Mexican laborer, from time immemorial has harvested these crops, so he comes across and harvests them and goes back. Every time he is taken back instead of going back on his own power, the Immigration Service takes credit for another wetback sent back across the line. These men rarely go a distance from the border. Whenever they go from the border, there are immigration roadblocks.

I sincerely hope, Mr. Chairman, that we will not write into this bill the amendment suggested, perhaps through misunderstanding, by the gentleman from New York [Mr. CELLER] and through less inexcusably misunderstanding, by the gentleman from California [Mr. YORTY], who ought to know. I hope we will not write in an amendment which, while the Department of Agriculture asks for a 60-percent increase in cotton and a 40-percent increase in food because of the war emergency, will take away not merely the agricultural labor which has always harvested the crops but which will impose a burden upon every person in the United States who speaks Spanish, who looks Spanish, and who has not a birth certificate you can depend upon to prove that he is an American citizen. Even though his children may have served in the American Army and even though his children may be married to American citizens, you do not know whether he will come under the amendment offered by the gentleman from New York. This is not cheap labor, Mr. Chairman. That

will be brought out in the discussion. It should also be brought out that the system is advantageous to the Republic of Mexico, which profits in cash money, put in circulation, and by knowledge of improved farm methods.

Mr. McCARTHY. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. HAYS].

Mr. HAYS of Ohio. Mr. Chairman, I had not intended to speak on this amendment or upon this bill, but when I hear some of these pseudo farmers in this House, such as the gentleman from California [Mr. PHILLIPS] standing in the well explaining how to farm and the processes of it I am beginning to think that if ignorance is bliss they should probably be the happiest men in Congress.

I happen to know a little bit about agriculture. I make my living that way. I heard someone yesterday expounding upon the art of dairying. Then later he said that anyone could put a milking machine on a cow. I am inclined to think that if he were to put one on, it would probably act like a stomach pump.

This thing is pretty fundamental. I have heard a lot of remarks about helping agriculture. I do not know what the situation is as far as helping agriculture in Texas is concerned, but if any Member from Ohio says this bill is going to help agriculture in the State of Ohio he just does not know what he is talking about.

We do not employ any Mexicans from Mexico in Ohio but we do employ Mexican-Americans occasionally who are displaced by wetback labor. If you will go up into the fields of northwestern Ohio where they employ stoop labor they will tell you that those people come up there hunting jobs and say they cannot find jobs down where they came from because there are too many illegal entrants who are working for lower wages and who are taking jobs away from the people who have long lived there.

We also find that there are problems when they come up into Ohio as far as living conditions are concerned, as far as living in slums is concerned, and as far as not wanting to send their children to school is concerned. The farmers who have employed them have found that they are a problem that is not worth the nuisance that is involved in comparison with the labor they get from them.

During World War II we employed some labor from Jamaica, but they were brought in under legitimate contracts where at a specified time the employer had certain specified responsibilities which he had to assume and which he was willing to assume.

When the season was over he was under some obligation to see that those people were sent back home where they

came from, and that they did not become a problem.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield.

Mr. HOPE. The gentleman states that farmers in the State of Ohio would get no particular benefit from this bill. I have no doubt that is true. Farmers from the State of Kansas would get no particular benefit from it either. In fact, the bill, as I understand it, will affect only 18 States, so far as farmers are concerned. But the people of the State of Ohio have to eat and the people of the State of Kansas have to eat, and people from every other State have to eat.

Does not the gentleman think that a bill which makes it possible to bring in some labor to help harvest the crops is going to be a good bill for the people of Ohio as well as the people of every other State?

Mr. HAYS of Ohio. I do not say that you should not bring in any labor. But I am getting a little bit tired of Members of Congress trying to keep the potential employers of this labor from assuming any responsibility whatever for the labor that is brought in. If the employer wants to bring in the labor, and certainly to profit from it, he should be willing to comply with certain terms and with the provisions of the contracts. He should assume certain responsibilities for seeing that that labor is returned whence it came when he is through with it and when there is no employment for that labor.

Some of these arguments are more than specious, they are just a little bit foolish, because some of the people who have been standing in the well of the House here worrying about the poor Mexican workers are some of the same people who have fought civil rights ever since I have been in the Congress. So, as I see it, it is just a question of whether they can get something for their own territory or their own State, without too much responsibility to the people of the United States. I agree with you that the situation in agriculture is such that there is a need for labor—yes—but I do not agree with you that it is so bad the Federal Government should step in and assume all the responsibilities and let the employer who is going to profit from it assume none of the responsibility. Certainly, if I want labor, I am willing to assume some responsibility for it.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Chairman, my feeling is that it would be desirable to write into this bill some legislation along the line of that suggested by the gentleman from New York [Mr. CELLER]. I am sympathetic to the objectives sought by the gentleman. I have no doubt there have been abuses by many employers and that their participation in illegal acts should be punished. However, I believe that the amendment offered by my colleague, despite its adoption in the other body, is fatally defective, and no court in the country would

ever sustain the wording of this particular amendment.

I call attention particularly to the language of the amendment that an operator who employs a person whom he knows or has reasonable grounds to believe or to suspect is an alien, then becomes subject to criminal penalties. In my judgment the Supreme Court has never in the past and would never in the future sustain such a penal provision as that. Criminal statutes must be written with clarity and definiteness to be valid. I say this with the utmost deference to the chairman of my committee, and with the utmost deference to the Member of the other body who offered the amendment there.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. CELLER. Has the gentleman any change in the language in mind which might be consonant with his views on this matter?

Mr. KEATING. I would suggest the elimination of the words "or suspect" in both cases where they appear. My inclination would be, if those words were eliminated, to support the amendment of the gentleman from New York. I am certain that with those words in the amendment it is fatally defective.

Mr. CELLER. I would be glad to accept the gentleman's suggestion.

Mr. KEATING. I have no power to make that change. If the gentleman from New York would attempt to make it, it would be entirely acceptable to me.

Mr. CELLER. Why does not the gentleman ask unanimous consent to have the words eliminated?

Mr. KEATING. I suggest that the author of the amendment would be the appropriate person to ask for unanimous consent to do that. I shall certainly not oppose it; indeed, will welcome the change.

Mr. CELLER. Will the gentleman yield to me for that purpose?

Mr. KEATING. I am happy to do so.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that the words mentioned by the gentleman from New York [Mr. KEATING] be deleted from the Celler amendment to the Polk substitute amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. CELLER]?

Mr. COOLEY. Mr. Chairman, I object.

(Mr. KEATING asked and was given permission to revise and extend his remarks.)

Mr. THOMPSON of Texas. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

(Mr. THOMPSON of Texas asked and was given permission to extend his remarks at this point.)

Mr. THOMPSON of Texas. Mr. Chairman, at the outset I would like to correct an impression which seems to prevail in the minds of some of my colleagues who have spoken. In the first place, my district does not contain any great plantations such as those pictured by the gentlemen from Illinois and New York State. Mine are for the most part

small farms and very few are operated except by or under the direct jurisdiction of the owners themselves.

I also wish to comment particularly on the description of the living conditions as set forth by some of these gentlemen. The itinerant Mexicans live under the same conditions in all respects as native American workers. Their houses are clean and sanitary and in all probability they live far better here than in their native land.

Since the offering of the Celler amendment yesterday, I have been checking into the history of any similar measure ever to be proposed or considered in this Congress. Certainly none has ever been enacted and I doubt if one was ever offered.

If this amendment prevails, it will set a precedent which will eventually affect every employer who may in the future consider hiring a foreign-born person. This amendment says in effect that if a job applicant speaks with an accent or if he has a dark complexion, the prospective employer must check into the antecedents of the applicant and satisfy whoever it is who would administer this strange new law that the applicant is in America legally.

True, this amendment applies only to Mexicans. However, once the principle has been established by the chairman of the Judiciary Committee, presumably in the interests of fairness, he will introduce a similar measure to embrace all aliens. What such a law would do to his own New York, where countless thousands speak broken English, is hard even to imagine.

I think the author of this amendment knows perfectly well that if he proposed any such measure in the form of a new bill, it would never pass his committee. His only chance of getting a foot in the door with any such drastic measure is by the present means of urging it on the House of Representatives when the House has had no time to study it. In any event, if the House votes down this amendment, the author of it may still introduce a bill which will provide for it, and he can make it all-inclusive, or discriminatory as he sees fit.

I hope the committee will reject the amendment and then I shall watch with great interest to see whether such a bill is introduced.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. CRAWFORD. I want to ask a question which relates to the statement made by the gentleman who preceded you. Suppose you have a farm out here and three or a dozen of these workers are brought to your farm at 6 o'clock in the afternoon. They are handed to you and you place them in a nice house—and I mean that literally—and they ask you for forty or fifty dollars to buy a grubstake and you advance the funds. You get up the next morning and they are all gone. What are you going to do about it?

Mr. KEATING. I am afraid you would have to ask someone who has had more experience along that line.

Mr. CRAWFORD. I use that as a simple illustration which happens very

often, to indicate that the gentleman from Ohio does not know much about farm labor.

Mr. KEATING. So far as I know, we do not have any of these Mexican migrant laborers in my particular territory.

Mr. THOMPSON of Texas. Mr. Chairman, will the gentleman yield further?

Mr. KEATING. I yield.

Mr. THOMPSON of Texas. This is an exceedingly complicated matter as we have found out in the last few hours. Does not the gentleman think the place to thrash this out is in the Committee on the Judiciary rather than on the floor of the House?

Mr. KEATING. Yes; I do; I agree. I think that all such legislation relating to immigration matters should be passed upon by the Committee on the Judiciary.

Mr. THOMPSON of Texas. Could not this be killed on the floor and then perhaps the chairman of this committee or the gentleman from New York could bring it out later in the form in which the committee itself approves?

Mr. KEATING. I am in favor of consideration by the Committee on the Judiciary of legislation similar to the amendment offered by the gentleman from New York. I would be strongly inclined to favor a measure along those lines which is carefully drawn and thoroughly digested.

The CHAIRMAN. The time of the gentleman from New York has expired, all time on the amendment to the amendment has expired.

The question is on the amendment offered by the gentleman from New York [Mr. Celler] to the amendment offered by the gentleman from Ohio [Mr. Polk].

The question was taken; and on a division (demanded by Mr. Celler) there were—ayes 55, noes 125.

So the amendment to the amendment was rejected.

Mr. MCCARTHY. Mr. Chairman, I offer an amendment to the substitute.

The Clerk read as follows:

Amendment offered by Mr. MCCARTHY to the substitute amendment offered by the gentleman from Ohio [Mr. Polk]: On page 3, strike out paragraph (2) of section 502 and insert in lieu thereof the following:

"(2) to reimburse the United States for essential expenses, not including salaries or expenses of regular department or agency personnel, incurred by the United States under this title. Direct expenses for transportation and subsistence shall be assigned, by the Secretary of Labor, to individual employers to the extent possible, in an amount not to exceed \$20 per worker. The Secretary of Labor shall determine on January 1, 1952, and on each succeeding January 1 during the life of this title, if such payments fully reimburse the United States for the essential expenses (as defined in this paragraph) incurred by it under this title. If the Secretary of Labor finds that the United States is not so fully reimbursed, he shall prorate the remaining amount due the United States among all employers in accordance with the number of man-hours of labor received by such employers from workers made available under this title. For the purposes of this paragraph, the Secretary of Labor shall determine the essential expenses (as defined in this paragraph) incurred by the United States per man-hour of labor provided under this title, and employers shall keep such records as the Secretary of Labor deems neces-

sary to determine the amount of reimbursement due the United States under this paragraph."

Mr. MCCARTHY. Mr. Chairman, the purpose of this amendment is simply to carry out what was declared as the intent and desire of all the farmers in the West and in the Southwest, namely, that there should be no subsidy involved in this. If you will read the terms of the Poage bill you will find that it provides that the farmer shall pay up to \$10 of expenses. The Senate bill carried \$20. The gentleman from Texas [Mr. Poage] has practically admitted that it would cost more than \$10 for the Government to carry out this thing, but he said, "We want to discourage their spending too much."

I want to prevent the payment of a subsidy and I want to call to your attention statistics and figures of what it cost to bring in farm labor during the war. In that period 309,000 foreign workers were brought in at a cost of about \$76,000,000. Figured out on a per capita cost it amounts to \$214 per man. That is over \$200 more than the amount the gentleman from Texas proposed that the farmers pay.

More immediately, if we take the question of cost of transportation and subsistence, the most recent report of the Farm Replacement Service indicates it would cost \$34.90 per man for transportation and subsistence. If we are going to have to take care of the problem of getting the foreign worker who skips back to Mexico, then the cost is increased on the average by another \$33 per man. So in effect what we have here is a program to subsidize the farmers of the Southwest and of the West, even though they protest that they want no subsidization.

My amendment carries out what certain representatives of farm groups asked from the committee. The farmers came in and said, "This is what we want." The committee said, "We will give you what you want and more."

Mr. Bailey, legislative consultant, National Grange, said in the Senate hearings on the question:

We would suggest that the entire cost of farm labor program be put into one pool, and if you brought in a hundred thousand workers, you would divide the cost by 100,000 and apportion that to everybody, because this is a national farm labor program to the benefit of all the country.

The CHAIRMAN. Would you be more specific and tell us what extent you think the Government should share any of these costs of transportation and sustenance of labor in transit?

Mr. BAILEY. We believe in no subsidy whatever for the program.

My amendment does not go that far. It provides that the direct expenses which can be determined shall be assigned to the individual farmer in whose behalf they are incurred up to \$20. All of these other incidental expenses that we cannot determine at this particular point will be added and on January 1 following the end of the crop season a determination will be made. If an employer had a hundred thousand man-hours of labor under this contract, and the Government finds it cost 2 cents an hour to provide that labor to him, the

farmer will then be assessed that amount and will be expected to pay it into the Treasury of the United States. There will be no subsidy if my amendment is adopted. If it is not adopted, then the cost depends on how many men may be brought in. The more we bring in the more it will cost the Government. Remember it cost \$214 per man to provide these laborers during the only period in which we had any experience.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from Kansas.

Mr. HOPE. May I ask the gentleman if he understands the provisions of the House bill which limits the amount to \$10, and the Senate bill which limits it to \$20, to cover anything more than the travel expenses and the subsistence in bringing these Mexicans from Mexico to the centers in this country from where they will be sent out to the farmers?

Mr. McCARTHY. I understand that and also that the penalty bond which used to be in force requiring each employer to put up \$25, which was forfeited if he did not return to Mexico, has been eliminated and the Poage bill now provides that if a worker is not returned and later is apprehended, then the employer shall pay to the Government what it would have cost to take the worker from the farm to the reception center. If the worker gets away and is never caught, the employer does not pay anything. If he had to pay \$15 transportation in the first place, he could give the Mexican \$5 and say: Get lost, and you save yourself \$10. That is exactly what is permitted in the bill. It gives an incentive to skipping. The immigration people estimate that if the Poage bill passes 50 percent of the contract labor will likely skip. At the present time about 20 percent skip, even with the \$25 penalty in force.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from New York.

Mr. KEATING. Does the gentleman's amendment include a prorating of the expenses of administering the program, as well as the actual costs for transportation and subsistence embodied in the specific clause we are discussing?

Mr. McCARTHY. Excepting those expenses that would be part of the regular administration of the Department of Labor Immigration and Naturalization Office.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. KEATING. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was not objection.

Mr. KEATING. Would the gentleman give us again the estimated cost per operator regarding which this substitute requires reimbursement by the employer of only \$20?

Mr. McCARTHY. The Senate bill provides \$20; the Poage bill \$10.

Mr. KEATING. And the actual cost is estimated at what?

Mr. McCARTHY. The actual cost is estimated at \$34.90 for transportation and subsistence plus \$33 which it cost to apprehend skips on the average. The actual program, when in effect during the recent war, cost on an average \$214 per man per year.

Mr. KEATING. I am sympathetic with the gentleman's amendment. As a matter of fact, I prepared one myself with relation to the original bill, striking out the words "not to exceed \$10 per worker." The effect of that would be to require the employer to reimburse the Government for its actual expenses without this limitation. I see no reason why this Congress should vote a subsidy to any group of our population for this type of program.

I agree entirely, if I understand fully the gentleman's amendment, that the purpose he is seeking to achieve is desirable. In fact, unless this amendment or something similar to it to protect the Government purse is adopted, I do not see how I can support it.

Mr. McCARTHY. We have consulted with the departments in charge and they say it can be worked out, and that the matter of keeping the record of man-hours, and so forth, will not be an undue burden. You must remember that only about 100,000 or 125,000 growers use this contract labor, anyhow.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from California.

Mr. PHILLIPS. I should like to ask the gentleman if the large figure he gave for World War II did not include a great many other items in this cost for bringing these people in from countries outside of the United States.

Mr. McCARTHY. These are foreign workers.

Mr. PHILLIPS. That was the complete transportation cost.

Mr. McCARTHY. I said of foreign workers.

Mr. PHILLIPS. Would it not be better to send this to conference and work out a better bill?

Mr. McCARTHY. We can still confer on this question because it is not in the Senate bill. I think the House should not take the position of subsidy to secure labor for a few farmers in one section of the country. As to subsidies on food, those of you who oppose subsidies ought to be opposed to subsidizing the producer. If you subsidize one and not the other, you do not have much of a case.

Mr. POAGUE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman from Minnesota has just stated that we should not pay a subsidy to American farmers. I fully agree with him. That has been one of the objectives of the subcommittee that wrote this bill, from the very beginning. We do not propose to pay a subsidy to anybody. We have made in provision in this bill to prevent any subsidy.

The question involved here is not a question of subsidy; it is a question of extravagance of Government as compared with the ability of private operators to handle their own business on a businesslike basis.

The gentleman pointed out that the United States had squandered, had wasted, had poured down a rat hole some two hundred dollars per worker during the war, when it included the payment of housing, transportation, and all kinds of extravagant expenses.

I want to quote to the House actual figures, not something that somebody estimates, not any \$34 per worker but the actual figures showing what has been paid this last month to bring workers from Mexico to the United States and to provide for their subsistence while bringing them here.

I have before me the affidavit of C. W. Wood, prepared on May 28, 1951, in which he testified that he brought certain Mexican nationals from Monterey to Hidalgo, Tex., at a transportation cost of \$2 per person and two meals per person at 50 cents, making \$3 per person for bringing them in.

I have the affidavit of George A. Graham, who testified that on May 16, 17, and 18 he recruited 1,067 Mexican workers at Hermosillo, Mexico, and transported them to Nogales, Ariz., and the transportation expense between those points was \$2.10 per man.

I have affidavits here from many others. They averaged out less than \$2.50 cost of transportation from the Mexican centers to the American border, including the payment for food on the way. That means less than \$5 a round trip. That is what these people are actually today paying and what the actual cost is, not what somebody estimates. It is actually being done for less than \$5 round trip right now.

Now, I submit when it is being done for \$5, and when we allow the Government to charge \$10, that we are being quite liberal with the Government, and we are not subsidizing any farmer when we are providing that the farmer can be called upon to pay twice as much as he would if he did it himself.

This limitation is put on here not for the purpose of subsidizing the farmer but for the purpose of requiring the extravagant agencies to live within the bounds of reason and to exercise some reasonable care.

Mr. SMITH of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Mississippi.

Mr. SMITH of Mississippi. I want to ask the gentleman if one of the affidavits in question does not refer to an affidavit made by a group from Mississippi, where the cost was listed as no more than two-dollars-and-some-cents for transportation for the worker.

Mr. POAGE. That is right.

Mr. SMITH of Mississippi. I happen to personally know the gentleman who made that affidavit, and I can personally vouch for the facts involved in those costs. I think any effort we make to restrict the amount that is allowed for the individual cost will go a long way toward restricting the Government agencies from squandering funds.

Mr. POAGE. We want to give the Government agencies the opportunity to recoup all the costs, so we say they can take twice the cost, but we do not want to pay more than is needed to these

Government agencies. We do not propose to let them just spend without limit; just throw the money away because we are going to collect it from the farmers.

The proposal by the gentleman from Minnesota is to put no limit upon the expenditures of the Government agencies, and if you have been in Congress 6 weeks you know that if you do not put a limitation on every one of these Government agencies that they are going to go on a spree worse than any drunken sailor.

Mr. O'TOOLE. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from New York.

Mr. O'TOOLE. According to the farmers affidavits they spend more on the transportation of pigs than they do on these poor humans.

Mr. POAGE. I do not know what it costs to transport pigs from Mexico. Does the gentleman from New York know?

Mr. O'TOOLE. No.

Mr. POAGE. Then the gentleman does not have any right to come here and say what it costs to transport pigs when he does not know.

Between the three Mexican contract centers and the American border we do know what the first-class bus fare is, and it averages less than a dollar.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GATHINGS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think an effort is being made to hamstring this legislation. They say in effect, "Now, we will put it on the farmer, yes; we will charge him \$20 to transport these Mexicans some 150 miles from these three recruitment points in the Republic of Mexico—Hermosillo, Chihuahua, and Monterey—and move them to where the farmer can get them at the Mexican border.

"Yes; we will take care of them; we will put \$20 in there. We are going to insist that the Government of the United States collect \$20 from that farmer. We will dress him up so he cannot farm." This seems to be the attitude of those who oppose the Poage or committee bill.

Let us see what the facts are. I hold in my hand an affidavit made by a man from my district who has made trips down there repeatedly to get labor for the cotton farmers in my section of Arkansas. He says the average cost to the association for processing a worker, feeding him, and transporting him to Laredo, Tex., amounts to \$1.74 per worker. Multiply that by 2 to get him back home when he has completed his contract, and that is the total cost for these items. It is \$1.74 each way. He is an expert in doing this thing apparently, because he has been there so much he knows how to do it economically.

Here are many letters I have received regarding costs and the great need for this labor.

One letter states:

This spring we recruited our labor from Mexico at a cost of \$6.62 per man.

This person refers to the total cost from Monterey to his farm. His cost to

the border reception center was only a fraction of that amount. The expenditures from the border to the farm and return are not included in the \$10 or \$20 provision now under consideration.

Here is a letter that says it cost \$1.35 per worker, making the total cost \$2.70, to get him back home at the conclusion of his contract.

Here is a letter showing that the cost is \$1.77 per man for transportation, pictures, and food, to get the Mexican national up to the border.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. GATHINGS. I yield to the gentleman from West Virginia.

Mr. BAILEY. How could you transport somebody from Arkansas to Mexico for \$1.35?

Mr. GATHINGS. I said that this letter came from Arkansas through the mail.

Mr. BAILEY. Is the gentleman talking about the cost of procurement up to the border?

Mr. GATHINGS. The farmer after he gets him at the border has to pay for the transportation and subsistence of the worker to the farm. This \$1.35 is the cost the farmer pays to get him from one of the three centers in Mexico which are about 150 miles from the border, up to the reception center, at or near the border, where the farmer gets him.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. GATHINGS. I yield to the gentleman from Illinois.

Mr. SABATH. If the amount is so small, why cannot these large farmers or planters that need this labor and derive the benefit of their labor assume the cost themselves?

Mr. GATHINGS. They are doing it right now. They are paying this cost. Even when these men abscond and are apprehended in this country, when they go up to the city of Chicago to see the country and happen to be picked up there, the farmer pays the cost of transporting them back to Mexico. They have done it every time. Whenever that bill is submitted to the farmer, the farmer pays it. He pays every nickel he is obligated to pay under the contract.

Mr. SABATH. Why is it that it is worth so much to the Government to import and deport these Mexicans?

Mr. GATHINGS. The Immigration Service has its men in the field regardless. They have these fellows, enforcement officers, all around over the country.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. GATHINGS. I yield to the gentleman from North Carolina.

Mr. COOLEY. Let me make this clear: There is no subsidy contemplated by this bill. It is contended that the farmer shall do just what the gentleman has indicated he should do, that is, to pay all the cost incurred from the time he takes him from the reception center until he is returned there.

Mr. GATHINGS. That is right. I do not want to see a punitive proposal come in here to make him pay up to

\$20. If you put \$20 in the bill the farmer is going to have to pay \$20. In addition to his transportation, the farmer pays medical fees, his food and lodging, a place to live, an insurance policy, and the prevailing wage in that particular area. This is expensive labor.

Mr. SABATH. I am not in favor of the Government's recklessly spending the money of the poor farmers who hire these thousands of Mexicans.

Mr. GATHINGS. That is fine. I thank the gentleman so much, and appreciate his support in opposition to this amendment, that ought to be defeated.

Mr. SABATH. I think this is a step in the right direction.

Mr. GATHINGS. The farmer has a hard enough time as it is. I trust that this committee will not penalize him further by such an amendment as this.

Mr. BAILEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, you have listened to some wild-eyed statements from some of the proponents of this legislation. You have noted the presentation of certain affidavits from interested parties as to the cost of this transportation.

I am dealing with the cost here and the procurement of these Mexicans south of the border and bringing them to the border. I am going to give you an itemized breakdown supplied to me no later than this morning by the Farm Placement Service, in an analysis of S. 984, which is the Senate bill. This is the average cost and it does not apply to some particular individual from whom these affidavits were presented. This is the average cost based on the experience of the Farm Placement Service, from the migration center in Mexico through the United States Reception Center at or near a port of entry and return: recruitment, 75 cents per individual; transportation \$15.65; subsistence, \$6—a total of \$22.40.

Reception processing, assignment, re-assignment, and return to Mexico, 50 cents; subsistence at the center on the border, \$12—making a total of \$12.50, or an over-all total of \$34.90.

The Poage bill, the House bill presented by the gentleman from Texas, would fix the figure of \$10 to reimburse the Government for this expenditure. The Senate bill would fix the total at \$20. Why not take the actual cost applied by a responsible bureau of the Government, as to the actual cost involved for the average of those procured?

Why not write into the bill the proposal of the gentleman from Wisconsin and allocate it on a pro rata basis? Or why not write into the bill the actual cost of \$35, instead of \$10 or \$20?

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield briefly.

Mr. COOLEY. I was just wondering if it is not possible that the \$34 figure included transportation for a greater distance than that which is contemplated by this program? I know that at one time they were recruiting laborers from 800 miles south of the border. We do not contemplate that at all.

Mr. BAILEY. You are going to get them any place that you can get them, and you know you are.

Mr. COOLEY. No.

Mr. BAILEY. And you are going to reimburse the Government \$10 for bringing them in from Mexico City. Do not try to kid the committee.

Mr. COOLEY. I am not trying to deceive or mislead the committee, or even the gentleman who is now addressing us. I am of the opinion that those figures are inflated because of the great distance involved for transportation.

Mr. BAILEY. Are they as likely to be inflated figures coming from a regular bureau of the Federal Government, than the figures of some private affidavit submitted on the floor here?

Mr. McCARTHY. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Minnesota.

Mr. McCARTHY. I think the members of the committee are quite certain if the demand for these contract laborers increases, as we have had indications here that it will increase, the Mexican Government has said that they are going to set up their recruitment centers much farther south of the border and this \$34 which the Department of Labor, or the Immigration and Naturalization Service says it will cost is based on the quite certain possibility that we are going to have to go 500 or more miles into Mexico in order to recruit them.

The Mexican Government does not want these recruiting centers up near the border because you will have more Mexicans coming there, and if they cannot come in legally and if they are not given the legal right to come in as contract workers, they will just start moving north and thus you will have more wetbacks.

Mr. BAILEY. I thank the gentleman from Minnesota.

Mr. Chairman, let me carry this cost situation just a little bit further. The official figures of the Labor Department are that 579,105 illegal aliens were reported during the year 1950, and that 98 percent of them are Mexican wetbacks. If you take that figure between the House bill and the Senate bill of \$10 and the actual cost of \$35 alone, the Federal Government is going to have to pay \$25 on each one of them. Suppose you bring in the 125,000 laborers they say they need in southern California and the approximately 200,000 that they say they need in the Delta States, and probably another 100,000 in the State of Texas, why, I can figure here by just saying that if you bring in more than you brought in last year, it is going to cost the Government \$16,500,000 on that one item alone.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield.

Mr. KEATING. No matter how thin you slice it, if the gentleman's figures are accurate, the House bill calls for a subsidy of twenty-four-dollars-and-some-cents per worker, and the Senate bill for a subsidy of fourteen-dollars-and-some-cents per worker.

Mr. BAILEY. Correct. That is correct.

Mr. Chairman, I insist that the committee either take the amendment offered by the gentleman from Minnesota, or I shall offer an amendment to put in the exact figure of \$35.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MAHON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we are confronted with a very critical time in the history of this Government. Downstairs in the Committee on Appropriations we are considering a bill which would provide \$60,000,000,000 for additional national defense for the coming fiscal year. Munitions of war are important, but, of course, there are many other things essential if we are to measure up to the requirement that America be strong at this time. You have to have guns and airplanes, but you have to have food and fiber just as well. For example, the Quartermaster General is asking Congress to appropriate \$300,000,000 to create a pool for supplies of cotton duck and cotton webbing that will be used in the military effort. But if we are to have these fibers we must be able to grow them and harvest them. It is absolutely essential in my judgment in the interest of national defense that this Poage farm-labor bill be passed. The committee worked on it for weeks; they considered all aspects. I was up there and testified before the committee; I saw the committee at work. They have brought in a good bill. I think it would be unfortunate to adopt the amendment now pending or any other amendment. Let us go to conference with the Senate on the basis of the House bill. It is different from the Senate bill which is now being offered as a substitute to the Poage bill. In conference the differences between the two bills can be ironed out. I trust the House bill will prevail in conference.

It is absolutely necessary that the so-called Douglas amendment, which would require the farmer to know whether the Mexican laborer were a wetback or not, be entirely eliminated from the bill. Such an unfair amendment would wreck the bill and injure the farmer, the laborer, and the national defense effort.

I would like to speak for a moment about the cost of bringing these laborers into the United States from Mexico. The figure set in the Poage bill, \$10, seems to be a reasonable and accurate figure and I see no reason why other statistics not submitted in the hearings should be accepted here on the floor now.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield.

Mr. POAGE. I would like to call the attention of the gentleman from Texas and the attention of the membership generally to the actual transportation figures of the public carriers, the bus lines at the present time. These are not imaginary figures but they are what it actually costs today. These figures are sworn to. The fare from Hermosillo is almost exactly \$1. The bus fare from Monterrey to Laredo, Tex., is 66 cents,

The bus fare from Chihuahua, Mexico, to El Paso is \$1.15. These are rates charged by common carriers today.

Mr. MAHON. The gentleman is correct, and the Members of the House should understand that the farmer must pay the transportation, not the Government, after the man gets into this country. This \$10 seems to be abundantly adequate and I do trust that the House bill may be adopted with that figure, that the substitute bill may be defeated, and that we can send this bill to conference as soon as possible, because it is extremely urgent that the bill be enacted into law at the earliest possible moment—it would be difficult to exaggerate the importance of this legislation.

Let me say further that these citizens from the Republic of Mexico will not be treated like peons, or worked for nothing. When they come to the district which I represent, where we will harvest perhaps 3,000,000 bales out of the 16,000,000 bales that we hope will be produced in this country, they will be treated well. They will take hundreds and hundreds of thousands of American dollars back to their homes in Mexico and their wage rates will be abundantly high, and the living standards will be satisfactory. This is no case of sweatshop labor, but this is a case of giving the people south of the border down Mexico way an opportunity to participate in American prosperity and at the same time help the American farmer and contribute to the defense effort. They will be adequately and almost fabulously paid in some instances for the labor they perform in the cotton fields of the country, particularly in west Texas. The bill has adequate safeguards to prevent any injustice to laborers from the Republic of Mexico.

There are a number of other matters with respect to the farm-labor situation which I think should be said to the House at this time. The passage of the Poage bill now before us will go a long way in helping provide labor from the Republic of Mexico. In other words, the Poage bill will do one thing. Another thing should be done. The House should pass House Joint Resolution 208 which I introduced on March 19 or similar legislation. The point is the Senate amendment with respect to child labor which became the law in 1949 has brought about a great injustice both to the farmer and to the children and families involved. Congress should enact legislation which would leave to the States the matter of determining age limitations and school attendance of families engaged in agriculture. I have collaborated with the gentleman from Texas [Mr. ROGERS] in preparing an amendment which will be introduced by the gentleman from Texas [Mr. ROGERS] later in the day. I wish to appeal to the House to join with Mr. ROGERS and me and with other Members of Congress from agricultural areas in seeking to repeal or modify existing law which makes it impossible for many children to participate in the harvesting of basic farm crops. It is not that we wish to

exploit children. The contrary is true. The Mexican children from south Texas who help gather the cotton crop in west Texas, for example, accompany their parents to the cotton-producing areas and these families earn relatively large incomes during the period they participate in the cotton harvesting and are thereby enabled to greatly improve their economic condition and earn the funds which enables them to attend school after the cotton harvest is over.

In short, Mr. Chairman, I trust that the House will today approve the Poage bill and that approval may likewise be secured today or in the not too distant future of legislation required to further improve the farm-labor situation.

(Mr. MAHON asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Chairman, I rise in opposition to the pro forma amendment.

(Mr. GROSS asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Chairman, yesterday—and I am sorry the gentleman from Colorado [Mr. HILL] is not on the floor—he and I had a little colloquy over the milking of cows, and he made the assertion at that time that many Members of the House probably would not know the producing end of a cow and, before revising his remarks, inferred that I might be one of them. Now, the gentleman from Michigan [Mr. CRAWFORD], one of the leading farmers in the State of Maryland, says he has some cows, including a Guernsey and a Holstein, and he has offered to stage a milking contest. If the gentleman from Colorado will accept this challenge, I will be glad to furnish him with convincing evidence that I do know something about the milk-producing end of a cow.

Mr. Chairman, I should like to ask members of the committee a few questions about this bill. I should like to know first of all how many people will be brought in from Mexico?

Mr. POAGE. That depends on when you pass the bill. We could have used probably a half-million earlier in the season, but the number will be less now.

Mr. GROSS. How many such employables are there in the Republic of Mexico.

Mr. POAGE. In the Republic of Mexico there are about 23,000,000 people. I would assume the male adult population is all employable.

Mr. GROSS. Are they all unemployed?

Mr. POAGE. No.

Mr. GROSS. How many?

Mr. POAGE. I do not know how many are employed.

Mr. GROSS. I would like to know how many Mexicans you intend to bring into the American labor market.

Mr. POAGE. We have to bring in enough to harvest the crop. It will be impossible to process that many now. You cannot process more than 7,000 a day as a physical proposition. The immigration authorities cannot process them today to exceed about 7,000 a day. The result is that the number that would come in during the season is

limited by the number that can be processed. Had we been able to get this bill passed 2 or 3 months earlier, we could have processed more workers, we could have brought them in here legally, we could have processed and screened them for the work that should have been done.

Mr. GROSS. I cannot yield further for a speech. I would like to get some questions answered.

Mr. CELLER. Mr. Chairman, will the gentleman yield? I will answer his questions.

Mr. GROSS. I want the Committee to answer them. How many of these people are adults that you are bringing in here?

Mr. POAGE. We do not bring in anybody but male adults.

Mr. GROSS. Mexico is a member of the United Nations?

Mr. POAGE. Yes.

Mr. GROSS. How many troops has that country sent to fight in Korea?

Mr. POAGE. The gentleman will have to ask the Armed Services Committee about that. That is not under the jurisdiction of the Agricultural Committee.

Mr. GROSS. The gentleman knows they have not contributed any troops?

Mr. POAGE. I do not know. You can testify to that. I thought the gentleman wanted to ask me a question?

Mr. GROSS. You are going to take the skilled labor off the farms and out of the processing plants of this country, bring in Mexicans to do the work and draft American into the military. The gentleman knows what the draft law says, that farmers and processing workers are not deferrable if they are replaceable.

Mr. POAGE. So what?

Mr. GROSS. So I am against this bill. Let some of these Mexicans go over and do some of the fighting and dying in Korea.

Mr. McCARTHY. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Minnesota.

Mr. McCARTHY. I do not think the gentleman should criticize too much the gentleman from Texas who, as the gentleman knows, has advocated that we have our fighting done by the Japanese and Germans. Now he wants to bring in the Mexicans to do our work, so the rest of us will not have very much to do.

Mr. GROSS. I wonder why he does not advocate that Mexicans join in the fighting? I have heard of no proposals for importing foreign doctors, bankers, lawyers, and so forth, so that Americans in these fields, who might otherwise be deferred, can be drafted into the Armed Forces.

Mr. HAYS of Ohio. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, the gentleman from Michigan who is also an eminent farmer in Maryland [Mr. CRAWFORD] made some sort of hypothetical statement about giving three people a house and \$40 to buy a steak, then having them leave before they have done any work. He used that then as a basis to try to show I did not know anything about farming.

I admit, Mr. Chairman, I never had that happen to me, just possibly because I am not so miserably difficult to get along with that potential employees leave before they do any work.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. McCARTHY].

The question was taken; and on a division (demanded by Mr. McCARTHY) there were—ayes 47, noes 85.

Mr. McCARTHY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. POAGE and Mr. McCARTHY.

The Committee again divided; and the tellers reported that there were—ayes 62, noes 149.

So the amendment was rejected.

Mr. BAILEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BAILEY to the amendment offered by Mr. POAGE: In the last line of paragraph 2 of section 502, strike out the figure "\$20" and insert in lieu thereof the figure "\$35."

Mr. BAILEY. Mr. Chairman, some question was raised as to the proposal of the gentleman from Minnesota as to a pro rata arrangement on this cost. Here we are dealing with the actual costs of approximately \$35 each as compared to \$10 in the House bill and \$20 in the Senate bill.

I am offering this amendment primarily for the purpose of calling attention to the fact that there is some bad faith being exercised by the proponents of this legislation. I have heard several of the proponents of this legislation say that they have the approval of the Farm Bureau and the National Grange for this legislation. They have a conditional approval from the Farm Bureau and from the National Grange, and they are not carrying out their part of the agreement. I want to read the testimony. This was the testimony offered by Mr. Matt Triggs, assistant director, Washington office, American Farm Bureau Federation, before the Senate committee in the consideration of this legislation. Mr. Triggs said:

The basic policy of the American Farm Bureau Federation in this connection is that the problem is one that should be handled to the maximum feasible extent, by farmers themselves. We believe that Government's place in the picture should be primarily one of "opening doors" so that farmers and their organizations can do the job for themselves. We are opposed to any significant degree of subsidization of farm-labor recruitment and transportation by the Federal Government. * * * We are opposed to the payment by the Federal Government of any portion of the transportation of either foreign or domestic workers within the United States.

In the testimony of Mr. Fred Bailey, legislative consultant of the National Grange, the chairman said:

Would you be more specific and tell us to what extent you think the Government should share any of these costs of transportation and sustenance of labor in transit?

I quote Mr. Bailey's reply:

We believe in no subsidy whatever for the program.

I want to quote to you from the testimony before the same committee of Mr. J. C. Baird, Jr., representing the Agricultural Labor Users of the United States, Indianola, Miss.:

Mr. BAIRD. * * * We want to pay the actual expenses of it.

The CHAIRMAN. That is what is intended by this bill.

Mr. BAIRD. Yes, sir.

The CHAIRMAN. Nothing but actual expenses on an average basis.

Mr. BAIRD. Yes, sir.

Mr. Baird further testified:

The group from our area generally has opposed the theory of the payment of any transportation costs by the Government, either for foreign workers—for foreign workers, because we are limiting this to a foreign labor bill. At our meeting in January with the National Farm Labor Advisory Committee, there was quite a discussion on the payment by the Government of all transportation costs over 500 miles. Up to 500 would be paid by the employer. We scaled off here on the United States map that even Dallas would qualify for a certain payment of Government expense.

Now the States who were particularly opposed to any type of subsidization are Georgia, Mississippi, Alabama, Arkansas, and Louisiana.

Yet their Representatives in Congress are here today offering to those farm people these subsidies in violation of their agreement, in violation of the wishes of the American Farm Bureau and the National Grange; yet they say the Grange and the Farm Bureau are supporting it.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from North Carolina.

Mr. COOLEY. The gentleman speaks about an agreement that someone seems to have made with the American Farm Bureau and the Grange. Does the gentleman suggest that the House Committee on Agriculture or the Senate committee has entered into any agreement with anybody about the legislation we have under consideration?

Mr. BAILEY. That may be so. In reply to the gentleman from North Carolina, may I say that the names of the Farm Bureau and the Grange have been used as proponents of this legislation. I say that is a falsification and a misstatement. There is no truth in it.

Mr. COOLEY. That is quite a different thing from suggesting we had an agreement.

Let me ask a further question: The gentleman quoted from a statement in the Senate hearings. Did the Senate hearing develop any figures which the gentleman would be willing to accept with regard to the cost of transportation?

Mr. BAILEY. I am offering the exact cost, which is \$35. That is the language of my amendment.

Mr. COOLEY. The gentleman did not get that figure from the Senate hearings.

Mr. BAILEY. I got it from the Labor Department, from the Farm Service.

Mr. COOLEY. I still suspect that those figures include transportation from 800 miles south of the border.

Mr. BAILEY. That is the average cost, and approximately that figure will be the average cost under this bill.

Mr. SMITH of Mississippi. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I should like to call attention to a negligence on the part of the gentleman from West Virginia in his reference to the testimony in regard to this bill. His negligence leads to statements in the well of the House that are in error.

He made reference to the statement of J. C. Baird, of Indianola, Miss.

Mr. BAILEY. Mr. Chairman, will the gentleman yield? He has used my name. I am going to put Mr. Baird's testimony in the RECORD. It is taken from the Senate record.

Mr. SMITH of Mississippi. I want to read Mr. Baird's testimony.

Mr. BAILEY. I propose to put it in the RECORD.

Mr. SMITH of Mississippi. I call attention to page 87 of the hearings on this bill before the House Committee on Agriculture. The statement begins on page 86. Mr. Baird says:

We are in favor of Mr. POAGE's bill, H. R. 3048, except for the following minor changes.

We suggest this limitation because the \$10 figure is much above the expenses normally incurred by employers.

In other words, Mr. Baird said \$10 would be all right, but \$10 was below the normal cost. As long as you are going to bring the names of people into these matters, you should at least cover their testimony fully. In other words, Mr. Baird testified that the cost of transporting these workers was normally far below \$10, but he asked that the bill be changed to provide not more than \$10 to take care of any possible foreseeable cost in the transportation.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Mississippi. I yield.

Mr. POAGE. Is it not a fact that the Department of Labor suggested they would like to have authority to go down in southern Mexico and recruit labor way down below Oaxaca and bring them up to the United States border? Our committee took the position that it was utterly unreasonable to do that sort of thing because there are plenty of Mexicans available at the recruiting centers that the Republic of Mexico had set up.

In other words, all this amendment proposes to do is to give the Government officials the money to carry on the wildest kind of social reforms in Mexico to allow them, if they decide that it would be advantageous to Mexico, to go clear to Guanajuato, and pay the way of Mexicans all the way across the Republic, instead of using those Mexicans available who want to come into the United States somewhere near our borders.

Mr. SMITH of Mississippi. The primary purpose of this provision in the bill is to limit the cost to the taxpayers. In other words it would limit the amount of money that these agencies can use in carrying out the functions of this law. We would not ask for a limit if it provided any cost to the Government.

Mr. POAGE. Mr. Chairman, will the gentleman yield further?

Mr. SMITH of Mississippi. I yield.

Mr. POAGE. The purpose of this bill can be carried out and yet keep the cost within \$10, can it not?

Mr. SMITH of Mississippi. Of course it can, and very likely the average cost will be well below \$10.

Mr. POAGE. All this limitation does is to impose upon the Government officials the exercise of some reasonable, ordinary, common horse sense in requiring them to use some discretion, rather than to go hog-wild about it.

Mr. SMITH of Mississippi. This bill provides that the Government shall be reimbursed to the extent of not more than \$10. We hope that the Government officials will not spend more than \$10 in getting this labor transported.

Mr. POAGE. Of course, the Government has been moving people by airplane. Of course, if the Government proposes to move these Mexicans in here by airplane, they can spend \$35 or \$50 per individual.

Mr. SMITH of Mississippi. Of course.

Mr. POAGE. But if they propose to use common carrier or busses—common-carrier busses, the kind that haul ordinary people, they can bring them in for \$1 apiece.

Mr. SMITH of Mississippi. The gentleman is right.

Mr. MCCARTHY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Mississippi. I yield.

Mr. MCCARTHY. I simply wanted to say that if the immigration people feel it is cheaper to move them out by airplane, it might be cheaper to move them in by airplane.

Mr. SMITH of Mississippi. I do not care about the mode of transportation. I just wanted to make it clear that every past experience shows that the workers can come in much cheaper than \$10 and to show the statements were made contrary to the testimony given before the committee. The cost should be below \$10, and the limit should be \$10.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Mississippi. I yield.

Mr. COOLEY. The \$15.65 figure that the gentleman from West Virginia [Mr. BAILEY] used could very well be for air transportation because our information is to the effect that the bus fare from those centers ranges from 66 cents to \$1.15.

Mr. SMITH of Mississippi. That is correct.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from West Virginia [Mr. BAILEY] to the amendment offered by the gentleman from Ohio [Mr. POLK].

The question was taken; and on a division (demanded by Mr. BAILEY) there were—ayes 26, noes 81.

So the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. POLK].

The question was taken; and on a division (demanded by Mr. Polk) there were—ayes 34, noes 85.

Mr. POAGE. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. Polk and Mr. Poage.

The Committee again divided; and the tellers reported that there were—ayes 44, noes 137.

So the amendment was rejected.

Mr. JACKSON of Washington. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JACKSON of Washington: On page 2, strike out lines 3 to 8, inclusive, and insert in lieu thereof the following:

"2. To establish and operate for such workers such reception centers in the continental United States as may be necessary to accomplish the purposes of this title."

Mr. JACKSON of Washington. Mr. Chairman, I am offering this amendment for two reasons. First, the State of Washington has a need for emergency farm labor help. I may say at the outset that Oregon and Washington pay the highest farm-labor wage in the United States. We need outside of our domestic labor supply, from information I have received through the Bureau of Employment Security of the State of Washington, between five and six thousand imported foreign workers.

Second, under the terms of the bill now pending before the committee, the reception centers will be located along the Mexican border. If we are going to have legislation on this subject it ought to be on a fair and equitable basis. It should be possible for farmers throughout the United States who are short of help on the farms to get help on the same basis that the States along the border obtain them. After all, there is a subsidy in this bill and if we are going to provide assistance, it should be fair, just, and equitable to every farmer in the United States where a need exists.

At the present time under the existing bill the people along the border will be able to get farm-labor assistance. The people in the North, East, and West will have to pay an inordinate share of the cost of transporting the farm workers to their particular section or State.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. JACKSON of Washington. I yield to the gentleman from North Carolina.

Mr. COOLEY. Does the gentleman have any idea what the cost would be if the amendment which he has offered were adopted?

Mr. JACKSON of Washington. I do not have an estimate, any more than the gentleman has an estimate on what his bill is going to cost.

Mr. COOLEY. The gentleman knows that under his amendment they could recruit two or three hundred thousand works south of the border and transport them to reception centers in the State of Washington.

Mr. JACKSON of Washington. If you are going to bring labor into the United States why should not each State be

entitled to get that labor on the basis of equality of cost?

Mr. COOLEY. The farmers in the State of Washington can get this Mexican labor by going to the reception centers at the Mexican border and paying the charges.

Mr. JACKSON of Washington. The obvious effect of the legislation is to give an advantage to the States along the border. You do not have to study this bill 5 minutes to come to that conclusion.

Mr. COOLEY. The gentleman knows they are the States where the problem really exists.

Mr. JACKSON of Washington. In my State of Washington, where we pay incidentally over one dollar an hour for farm help, after the exhaustion of all of our domestic farm labor we will need between five and six thousand imported laborers. Why should they not get some assistance under those circumstances?

Mr. COOLEY. Why should not your farmers pay the cost?

Mr. JACKSON of Washington. Why should they pay a greater share of this bill that is now before the Congress than the people along the border?

Mr. COOLEY. The gentleman's amendment puts a subsidy in this bill.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. JACKSON of Washington. I yield to the gentleman from Washington.

Mr. HORAN. We want equity in this, and that is all the gentleman's amendment calls for. We want fairness in the parceling out of the available excess labor, and we need them, too. We are already handicapped with high wages and high transportation costs away out in the State of Washington.

Mr. JACKSON of Washington. Is not this a bill to provide farm labor assistance to all 48 States if it is needed? If so, then the cost ought to be borne equitably. That is just common sense.

Mr. HOLMES. Mr. Chairman, will the gentleman yield?

Mr. JACKSON of Washington. I yield to the gentleman from Washington.

Mr. HOLMES. In connection with the demand for this labor that we have in the Pacific Northwest, the transportation charges for some 1,500 to 2,000 miles to the Mexican border, combined with the high rate we pay for agricultural labor in the Northwest, the highest in the United States, makes the burden greater on the farmers of the Northwest and favors those close to the border of Mexico, is that not right?

Mr. JACKSON of Washington. The gentleman is absolutely right.

Mr. COOLEY. The logic of the gentleman's argument is to the effect that we should have reception centers in all of the States and that such reception centers shall be exactly the same distance from every farmer's farm.

Mr. JACKSON of Washington. Obviously not. The reception centers should be in the same general areas where they were located during World War II. I am not asking that they be established in every State; but the gentleman has a bill now before the House that has only one obvious purpose and that is to provide preferential treatment.

That is the effect of his bill. It is not spelled out in so many words but that is the effect in actual practice. It gives the farm employer located close to the Mexican border an advantage over farm employers in the North, West, and East. It hurts the employers that are paying the highest farm-labor wage.

Mr. COOLEY. Have the farmers in your State been dependent upon Mexican labor to harvest their crops?

Mr. JACKSON of Washington. Yes; they have.

Mr. COOLEY. How have they arranged for the transportation cost up there?

Mr. JACKSON of Washington. During the war they had a reception center not far away. As I recall, I believe it was Portland, Oreg., and they paid the transportation cost from that point.

Mr. COOLEY. And they were not Mexican citizens altogether. They recruited them from many States and paid the transportation cost.

Mr. JACKSON of Washington. That may be true to a certain extent, but we had a large amount of Mexican help.

Mr. Chairman, I hope the House will vote for this amendment.

Mr. HOPE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to call attention to the fact that if this amendment was to have been offered it should have been offered before we settled the question of cost in this bill. The \$10 limitation or the \$20 limitation or a \$30 or \$40 limitation probably will not take care of the expense if you are going to establish centers in the places proposed by this amendment. I suggest that if we adopt this amendment we should reconsider the question of the application of these costs, otherwise there is going to be a big farmer subsidy in this bill.

Mr. McCARTHY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in the event this amendment is adopted, I will offer an amendment to take care of the additional cost that would be involved.

Mr. POAGE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, may I point out that a great deal more is involved in this amendment than the question of whether or not the Government is going to pay the transportation of some Mexican workers to the Pacific Northwest. I can understand and I can sympathize with the problem that confronts the people of that section of the country, because they do face a most difficult problem. They are a long way from the source of labor. However, I think if you will but reflect a moment you will realize that if you were to adopt this amendment and establish the principle that we were going to undertake to pay the transportation of foreign workers within the United States, that you could not escape the logic of the argument that you should then extend that same principle to domestic workers who wanted to go from one State of the Union to another.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from North Carolina.

Mr. COOLEY. Was not that very thing discussed fully in our committee?

Mr. POAGE. It was. It was discussed at great length in our committee room, and everybody agreed, the opponents and the proponents, who came before our committee. I think it is fair to say that most had to agree that they could not, with one side of the mouth, ask that we guarantee the transportation cost of Mexican workers across the continent, and with the other side of the mouth say that if a man from Arkansas wanted to go out to California to work that we would not guarantee his transportation.

Mr. JACKSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Washington.

Mr. JACKSON of Washington. I will say to the gentleman, if there is a finding that there is no domestic labor now available, then it is certainly proper to call on outside assistance. If the gentleman wants to be logical about this, then I would say that he should not ask for any kind of subsidy. You have subsidy from inside of Mexico to the border.

Mr. POAGE. We have discussed that matter of an alleged subsidy, and this House has found by its vote that there was no subsidy involved in this bill, and that is a correct finding. I do not propose to go back into that question. This bill is very plain. It does not pay a subsidy to anybody at the present time.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield for a question.

Mr. BAILEY. The gentleman is setting aside the provisions of the Internal Revenue Act—

Mr. POAGE. I yielded for a question and not for a speech.

Mr. BAILEY. Are those not subsidies?

Mr. POAGE. Mr. Chairman, I yielded for a question and the gentleman did not see fit to ask a question.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Are not the cotton farmers of southeastern Missouri about as far from the labor supply as the Pacific Northwest is?

Mr. POAGE. Almost as far, but not quite.

Mr. JACKSON of Washington. Mr. Chairman, if the gentleman will yield, I suggest the gentleman look at the map.

Mr. POAGE. It is about 1,100 miles to the Pacific Northwest, and about 900 miles to southeastern Arkansas. There is about a 200-mile difference. I do not have any quarrel with the people of the Pacific Northwest or the cotton farmers of Arkansas. They are both fine folks, but I do not believe in the proposition of having the Government guarantee the transportation of everybody who wants to ride all over this country. We had an experience of that kind during the war. When a man from Arkansas decided he wanted to take a job in California. All he had to do was to go out there, and they paid his food on the way, and then when he decided he did not like to work, they paid his way back.

Now, there is a considerable group of people in the United States who believe in that sort of philosophy. I do not believe in it. I do not believe in the Government's assuming obligations to provide transportation for everybody who wants to ride all over this country, and that is what we will inevitably come to if we pass this amendment.

Mr. HORAN. Mr. Chairman, I rise in support of the amendment offered by my colleague from Washington, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. Mr. Chairman, I think all we are trying to do here is be fair to every American. I take the floor today to appeal to you that the bill as it now stands is not fair to the Pacific Northwest. I know this Committee wants to be fair. I hope the amendment is accepted. Some of the rough spots in this bill are going to be worked out in conference. So I hope an effort is made to be fair to the people of the remoter parts of the United States who need farm labor and who are going to be quite a distance from these reception centers. The amendment is sufficiently wide, I think, to permit adoption by the Committee and perhaps modification in conference.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. The gentleman's arguments, of course, would also apply as far as Minnesota is concerned. What I should like to know from my colleague on the Subcommittee on Agricultural Appropriations is, how many additional millions of dollars will this amendment add to this bill?

Mr. MORAN. I do not think you are going to have a bill like this and feel you will not have it cost something. When we went to war with Korea and put our available migrant labor to work in the defense plants, we found we had crops to harvest and we had to get help from someplace. Last year at the hearings of this committee, and I want to give the committee full credit, for I attended some of those hearings, the United States Employment Service said, "you do not need a farm labor bill, we can supply the needs." During the summer I contacted the State officials in the State of Washington and they said, "We can take care of the situation." But when it came time to harvest our apple crop, the Governor of the State of Washington had to call on General Wedemeyer and he gave extended furloughs to the Army. They came in and helped us get our apple crop in.

We are in dire need of help now. I say I want you to be fair with us, because we have high freight rates. They have gone up 67 percent since the end of World War II. We in the State of Washington in order to attract farm labor have upped our hourly pay to an average of \$1.01. That is the average as of April 1 of this year. We do that to attract

workers, but we still cannot attract enough of them.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from North Carolina.

Mr. COOLEY. I want to compliment the gentleman on his interest in this matter. I recall that he came to the committee and discussed the matter very thoroughly and earnestly. While I sympathize with the fact that labor is needed in the gentlemen's section of the country, I think the gentleman will agree with me that if this amendment is adopted it could very reasonably involve a cost running into the millions of dollars to the Government, unknown millions.

Mr. HORAN. I think this bill is going to cost the Government millions of dollars. We do not want to kid ourselves.

Mr. COOLEY. Further, we would then be faced with paying Mexicans' transportation across the country and refusing the same consideration to our own people.

Mr. HORAN. No, we are going to recruit Mexican nationals under a contract. They have no similarity to the domestic people, who have the freedom of the United States.

Mr. COOLEY. The gentleman knows that when he was in our committee room there were those there who advocated that we pay the cost of the laboring men working on the farms.

Mr. HORAN. No, we are merely asking you to be fair to us.

Mr. COOLEY. I know the gentleman did not ask us to pay for domestic labor transportation, but others did.

Mr. HORAN. I am only talking now in support of this amendment. I do not want to be dragged off the trail.

Mr. JACKSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield.

Mr. JACKSON of Washington. It is true that the bill does provide for the Federal Government to pay the cost of transportation from Mexico to the reception centers in the United States.

Mr. HORAN. That is right.

Mr. JACKSON of Washington. So if the gentleman from North Carolina wants to be logical and consistent, then that transportation ought to be borne and all the costs of the bill ought to be borne by the farmers.

Mr. HORAN. When we argue economy and turn down justice to all of the people, and we are going to need Mexican laborers, we are adding just one more straw of inequity on the backs of the farmers I represent. It can ruin them.

Mr. COOLEY. Have not the gentleman's farmers been using Mexican labor in the past?

Mr. HORAN. We used Mexican labor during World War II and it turned out very well.

Mr. COOLEY. Who paid the bill?

Mr. HORAN. The Government paid the bill to the reception center, and our farmers paid part of the transportation from a point equidistant.

Mr. COOLEY. They had these farm workers working on a city street, Columbia Avenue, in Portland. They had

been transferred from 800 miles south of the border, and the Government was paying the entire cost, medical care, child care, and so forth. That is the reason the figure went up to \$200 or \$300.

Mr. HORAN. You are in charge of this bill. You are writing this bill. I am not asking you to do those things. But we do want you to consider and equitable amendment here so that the farmers can be treated rightly. You are going to write this bill in conference. Do not tell me what happened in the past. I do not agree with that, either. It is your responsibility to be fair with us.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Iowa.

Mr. GROSS. Whose money established the reception centers in Texas and California?

Mr. HORAN. That is Government money.

Mr. H. CARL ANDERSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I just want to take a minute to state that it is my opinion that this amendment will cost the Government a good many additional millions of dollars. There is no telling how many millions. I think the acceptance of such an amendment will result unfortunately in killing the bill itself on final roll call.

Mr. JACKSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman.

Mr. JACKSON of Washington. If the gentleman followed my amendment, of course, he would see that it simply requires reception centers to be located equitably throughout the United States. It would apply to the States of Minnesota and Maine, as well as the State of Washington.

Mr. H. CARL ANDERSEN. Has the gentleman any idea whatever as to what his amendment would cost?

Mr. JACKSON of Washington. I do not.

Mr. H. CARL ANDERSEN. That is one good reason why the amendment should be defeated.

Mr. STAGGERS. I represent a great farming section in West Virginia, the main farming section of my State, and I agree with my colleague, the gentleman from Washington. If we are going to be fair to the people of the United States, we should be fair to all the farmers of the different States. We have an apple-growing section in my district in which all of the orchardists are raising heck because they cannot get apple pickers.

The sons of these farmers and orchardists have been called into the armed services and now they cannot get help. Down below our border, Mexico, a member of the UN, has not sent one soldier to the Korean front. Yet they have hundreds of thousands of workers who are idle and should be put into the service to fight for liberty and freedom for mankind, but they choose to let them come into this country to take the jobs of these American boys who are fighting for their welfare.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield.

Mr. GROSS. The gentleman has put his finger exactly on the thing that ought to be emphasized here—that Mexico has not contributed a single ounce to the fighting and dying in Korea while we are putting our American boys on the auction block in this deal.

I thought we had ended auction blocks with the Civil War.

Mr. STAGGERS. That is true.

I just want to say that to be fair—we are not going to write a fair bill on the floor of the House—no—but the members of this committee can be fair when they go to conference table in seeing that there is some equity given. I am saying this ought to be considered. That if cheap labor is made available to one section of the nation it should be made available to all sections. In the first place, I do not believe in any foreign labor being brought into this country. It has a demoralizing effect upon our own people. Let them take out citizenship papers, if they wish to come to the United States.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from North Carolina.

Mr. COOLEY. We did consider it very carefully, and the members of the committee considered it very carefully. We considered it was not feasible.

Mr. STAGGERS. It may not be feasible. I have heard the word "sympathy" used here. Each member of the committee said they sympathized, and so forth. Sympathy does not do anything for the people. The Congress is here to enact laws equitably for every citizen of the United States and not for one section, and you cannot answer that argument in any other way.

Mr. COOLEY. The gentleman said that we should consider it, and I say we have considered it.

Mr. STAGGERS. That is all right—your responsibility as a Congressman is to consider, not your section or anyone else's section, but every section in the United States.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield.

Mr. BAILEY. Do you not think that we ought to have equality under the revenue laws and under the social security laws when certain groups get certain benefits and everybody else takes it on the nose?

Mr. STAGGERS. Mr. Chairman, I said I was not going to take the full 5 minutes, but I suggest that we should consider the boys who are in the service right now and who are doing the fighting for this country before we bring in outsiders to do our work. Do you want to bring them in? If so let us bring them in as nationals. Let them become citizens of the United States. Do they not want citizenship in the United States? What is the trouble? You have been talking about costs. It is a matter of principle. There is not a man in the Committee of the Whole here who can say it is a matter of cost. It is a matter of principle.

I think when we search our own consciences we will find that it is not a matter of cost with any individual because

the citizens of my section of the country and the citizens of the United States are going to pay for this and they will have to bear the burden whatever the end results might be.

If we must bring them in, let us make their services available to all the farmers of the Nation. Let us do away with sectionalism.

Mr. SHELLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, after sitting through this debate on the Poage farm labor importation bill I want to say that I am extremely happy with the broad discussion which has been allowed and which has prevailed up to this point. I want to take occasion to thank the very able and affable gentleman from North Carolina for allowing the debate to be on such a broad basis today.

I do not come from a farming section. I come from San Francisco, which is strictly a city area. Possibly someone will ask, if I am not from a farm, or do not live in a cotton-growing or melon-growing area, such as are in my home State of California, why should I interest myself in this legislation? My answer would be that I have an interest in this legislation because I do not subscribe to the idea that we are elected to the Congress of the United States only to take an interest in legislation which affects our districts, or with which we may have some personal connection. In addition to that I have an interest in human beings, and I have seen with my own eyes some of the human problems which have developed as a result of the wetback situation in the State of California.

Before I touch on that, may I say that contrary to the impression held by some of the Members here, there is no concerted desire, no move to block enactment of proper legislation on this subject. In fact, there is a real recognition of the problem faced by the agricultural industry in this country at the present time—a knowledge of the fact that there is a shortage of labor because of the emergency in which the country is involved. I do not want to use the word "sympathy," so I will say an "understanding"—an understanding of the fact that a shortage of labor could mean a shortage of food to the Nation and its fighting forces and to other nations throughout the world who depend upon us for our help, assistance, and, at times, generosity. I know of no opposition to finding an acceptable and fair solution to that problem—one that will be fair to both the farmer and the farm laborer, and also to whatever imported labor it may develop is necessary to bring in.

Mr. Chairman, it had been my very sincere hope that the Polk substitute amendment, the Senate bill, would be adopted by the House as a substitute for the Poage bill. That bill had certain restrictions set up in it which make it far more acceptable, far more practical, to those who completely understand this problem—to the fair-minded farmer, to those from the field of labor, from business, from big cities, and particularly to myself—than the Poage bill which seems to be championed by those who come from the Southwest and from my own

State, and who have displayed on the floor that their primary concern is with the limited interests involved in their own particular problem.

To substantiate my statement that we who are in opposition to the Poage bill are not opposing the idea of bringing labor in when necessary, to substantiate my statement that we are aware of the problem, let us go back over some history. This wetback and Mexican labor problem is not new; it has been with us for many years, since long before World War II. Because of the fact that in World War II our young men moved to the service, the factories, and the metropolitan areas, a shortage of agricultural labor developed and the proposal was made that we set up machinery for bringing in groups of agricultural workers from the neighboring Republic of Mexico to help solve the problem. Representatives of the workers of this country, representatives of the Government, the State Department and the Labor Department and the Immigration Service, and representatives of the growers' associations sat together with members of like organizations of Mexico, and a program was worked up and the people were brought in.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. SHELLEY. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SHELLEY. A great many of those people came into the States, and the agricultural labor problem of the country was to a great extent solved. There was no objection at the time to what was recognized as a wartime and emergency necessity. However, as a result of that program, and since that program was first developed, certain weaknesses have developed and certain objections have been recognized, which we feel should be corrected before authorizing any extension or continuation of it. The Ellender bill, as passed by the Senate, would have taken care of some of those weaknesses. I had hoped to see it perfected in the House with further amendments. Our only chance now to correct those weaknesses in the program, and to protect the interests of our own farm labor, our other labor groups who have been hurt by the infiltration of Mexican workers, and the country itself which is presented with a terrific social problem, is to adopt some of the perfecting amendments to the Poage bill which we are now considering.

A great many of those Mexicans who were brought in and are being brought in at the present time never return to their own country, and they have been a recurring problem not only in certain agricultural areas, but in industrial areas as well—not only in the border States, but in other States throughout the country ever since. The Poage bill eliminates the bonding requirement formerly required of employers of Mexican contract labor to insure their return to Mexico. That elimination promises to cause a multiplication of the problems

connected with the Mexicans who remain in this country illegally, and it should be reinstated.

Even greater than the difficulties caused by the contract nationals who remain here are those resulting from the hordes of wetbacks, illegal Mexican entrants who stream across the borders. The problems which they bring with them have increased tremendously. The press and magazines of this country have brought the disgraceful conditions in the Southwest to everyone's attention. The President's Commission on Migratory Labor called for a correction of the conditions. The wetbacks move from agricultural areas into the metropolitan areas, not only in the four States along the Mexican border but in many States much farther north. They have created new impacts, new sociological situations, in the metropolitan sections of many States. Yet the Poage bill actually legalizes the presence of these people, for it states "Those who are temporarily here" in talking of contracting for their employment, without specifying how they may have come here. It is an open invitation of more thousands of them to pour into the country. Without the amendment to the Poage bill which the Senate included in their bill, imposing strict penalties for the employment of wetbacks, and without the amendment restricting contracting of Mexicans to those who have legally entered the United States, I cannot in good conscience vote for this measure. To do so would be to accept part of the blame for the deliberate violations of our immigration laws which are now encouraged, and to accept part of the guilt for the shameful peonage under which these Mexican workers exist.

There is abundant evidence that Mexican contract workers have been brought into this country when there is no real need for them. The Poage bill places the responsibility for certifying that a need exists on the Regional Director of the Bureau of Employment Security rather than on the Secretary of Labor, as provided in the bill passed by the Senate. Proof has been given on the floor of the House during this debate that Mexicans have been contracted for when there is a large number of unemployed Americans looking for work in the same area. To avoid that condition the determination that there is no American labor available should be made on some uniform national basis. There is no question in my mind but that the Bureau of Employment Security local officials have not done a good job of canvassing all possible sources of labor before certifying to a shortage, and for that reason I am firmly convinced that the responsibility should be given to the Secretary of Labor. Continuance of the present system will just insure that our local domestic labor will continue to be done out of jobs in favor of imported Mexican citizens. I believe that the Poage bill should be tightened up so that will no longer be possible. There is no reason why our own people should be on the welfare rolls while we are bringing in others to take their jobs. And in this respect I refer particularly to the plight of American citizens of Mexican descent

who are now finding themselves displaced and unemployed by Mexican nationals and wetbacks who are working cheaper. Under the terms of the Poage bill the use of imported Mexican labor is not restricted only to our farms. Under the definition of agricultural employment which it now contains, Mexican nationals can be imported to work in our canneries and packing houses anywhere in the country. That certainly is not the type of "stoop labor" which Americans will supposedly not do. It will inevitably lead to a lowering of wage standards for which American workingmen have had to fight so strongly. Without a strict limitation of the type of work which these people may be imported to do, I certainly cannot vote for passage of this bill. It would be directly contrary to everything for which I have fought during my whole adult life—the protection of the American workingman and the improvement rather than the destruction of the American standard of living.

Another factor in the practically unlimited use of Mexican labor which has developed as a result of the present system of importation and use of Mexicans, legally or illegally, is the terrific downward pressure on wages and piece rates paid to farm workers. The prevailing wage to be paid the Mexican worker or offered to the native farm laborer is set by the growers themselves, usually acting through their associations. The Poage bill provides nothing to alter that system. It leaves the way clear for continued payment of near-starvation wages to farm workers who must accept what is offered, or get no job at all, since if the American worker does not take what the farmer chooses to pay it can then be certified that domestic labor is not available, and Mexican nationals can be contracted for. Without a formula for impartial determination of what the prevailing wage should be, the Poage bill is only a device for holding wages down and is not acceptable to me or the great majority of right-thinking people who are more concerned about the welfare of the American wage earner than they are about the profits which the large corporation farmers of this country squeeze out.

Mr. Chairman, my time is running short. The faults which I have cited in the Poage bill are not all, by any means. The amendment now under consideration would help remove this bill from the class of legislation intended for the benefit of a limited few. The Poage bill, as a whole, will throw the doors wide open, and in voting against the amendment presently under consideration you will be definitely establishing it as sectional legislation which plays into the hands of those border States which are close to the centers along the Mexican border.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. SHELLEY. I yield.

Mr. COOLEY. How can the gentleman say that the Poage bill throws the doors wide open? The gentleman must know, if he knows anything about it at all, that these people come here under contracts, and this bill in no way affects the Mexican border.

Mr. SHELLEY. Because the labor coming in at the present time comes in under an agreement between the Republic of Mexico and the Government of the United States, which expires on June 30, and because the Government of Mexico has said it will refuse to continue that contract or that agreement between the two countries unless this Congress adopts legislation which will protect their nationals coming in here and which will bring an end to exploitation of these human beings of Mexican nationality who, the RECORD shows, are being exploited by some of the large farm operators. I say to you that the Poage bill makes no contribution to that end.

Mr. COOLEY. Does not the gentleman think that the Mexican Government was right in insisting upon American farmers not exploiting the laborers of Mexico?

Mr. SHELLEY. I most assuredly do.

Mr. COOLEY. Does not the gentleman think Mexico was right in insisting that their nationals be protected in this country? That is what we are trying to do.

Mr. SHELLEY. That is the responsibility of the Mexican Government. However, I am sorry, although that may be the gentleman's version of what he is trying to do, it is not my version of what the Poage bill will accomplish. I maintain that the Poage bill does not set up standards which will permit that to happen.

The CHAIRMAN. The time of the gentleman from California has expired.

(Mr. SHELLEY asked and was given permission to revise and extend his remarks.)

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. JACKSON].

The question was taken; and on a division (demanded by Mr. JACKSON of Washington) there were—ayes 47, noes 97.

So the amendment was rejected.

Mr. CELLER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CELLER: Add a new section:

"Sec. 512. Notwithstanding any other provision of law to the contrary and without regard to section 3709 of the revised statutes, the Attorney General is authorized to purchase, construct, lease, equip, operate, and maintain on either Government-leased or Government-owned land such detention facilities as may be necessary for the apprehension and removal to Mexico of Mexican aliens illegally in the United States. Appropriations made to the Immigration and Naturalization Service shall be available for expenditures to carry out the purposes of this act."

Mr. COOLEY. Mr. Chairman, I reserve a point of order against the amendment offered by the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I wish to read briefly a statement submitted to me by the Bureau of Immigration and Naturalization. That language of the amendment is not mine. It is language submitted by the Bureau of Immigration and Naturalization. Accompanying the suggested amendment, they wrote to me as follows:

There is an urgent and immediate need by the Immigration and Naturalization Service for a detention camp at Brownsville, Tex., for the assembling and processing for removal to Mexico of Mexican aliens who have entered the United States illegally. Hundreds of these illegal entrants are being apprehended by the border patrol daily, and the Immigration and Naturalization Service anticipates that beginning in July illegal entries in the Lower Rio Grande Valley area will increase by tens of thousands. As the Service does not have an adequate detention facility, it can neither properly carry out its duty under the immigration laws nor give effect to the requirement of the international agreement with Mexico that Mexican nationals who are in the United States illegally be apprehended and removed to Mexico.

Additional detention facilities are also required for the same purposes in the State of California.

In a word, all this does is to allow the Immigration Service to erect detention camps at various important places along the border so as to facilitate the removal of all those aliens who came in illegally and that they are able to detect. It does no more than that, and I do hope that those who are interested in this bill will not object to the amendment.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Kansas.

Mr. HOPE. Can the gentleman give us any figures as to the cost of these detention buildings?

Mr. CELLER. I have no exact figures as to cost. The Immigration and Naturalization Service said that the cost would be inconsequential, that the camps that would be built could be cheaply constructed, and that the cost would be out of appropriations usually allotted to the Immigration and Naturalization Service. It may be that there would be no additional cost beyond the appropriations usually granted to the Immigration and Naturalization Service, but they were quite certain in their statement to me that the cost would not be of considerable consequence.

Mr. HOPE. I thank the gentleman.

Mr. CELLER. The debate on this bill has at times been rather acrimonious. Apparently the proponents seemed to resent opposition. Some of the advocates of the bill seemed to lack adequate answers to some of the views in opposition, and they adopted the policy, "If you cannot find adequate answer, stoop to abusing personally the opponent." I resent some of the abuse addressed to me. However, those attacks were like one spitting in the wind. Those who thus attacked merely bespattered themselves.

Mr. COOLEY. Mr. Chairman, I renew my point of order.

The CHAIRMAN. Will the gentleman please state the grounds of his point of order?

Mr. COOLEY. First, that it broadens the scope of the legislation under consideration. It is not germane, and it actually constitutes an appropriation. In the last sentence of the amendment we find this language:

Appropriations made to the Immigration and Naturalization Service shall be available for expenditures to carry out the purposes of this act.

Now that certainly would be broadening the powers of former appropriation bills and would confer upon the Attorney General the right to actually acquire property and to build buildings and to maintain and operate such buildings either on land owned by the Government or on land leased by the Government.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from New York.

Mr. CELLER. I would be perfectly willing to strike out any reference to appropriations. Would the gentleman then agree to the amendment?

Mr. COOLEY. Mr. Chairman, if I may be heard another minute, I think that this particular amendment would appropriately come before the Committee on the Judiciary. I do not think that under any stretch of the imagination it could be referred to the Committee on Agriculture. It is foreign entirely to the matters which come within the jurisdiction of our committee, and I think it is a matter which the chairman of the Committee on the Judiciary could well afford to consider in his own committee. Actually, I have no real objections to what the Attorney General proposes to do or what this amendment proposes to do, but I do object to accepting an amendment or having an amendment adopted here which actually is not germane to the matter under consideration.

The CHAIRMAN. Does the gentleman from New York desire to be heard further on the point of order?

Mr. CELLER. Mr. Chairman, this bill affects aliens who come in from Mexico, and the purpose of the amendment is to erect stockades or detention camps that would facilitate the operation of the Immigration and Naturalization Service in sending back aliens who are in the country illegally. I believe that the amendment, since it facilitates the activity of the Immigration and Naturalization Service in their operations concerning these aliens—and this bill concerns these alien foreign laborers—is eminently sound and proper and comes within the four squares of the aims of the purposes of the bill in question.

I offered the amendment at the suggestion of the Immigration and Naturalization Service, and I understood that the gentlemen on the Committee on Agriculture were going to accept it. I would be perfectly willing to strike out all verbiage and language that has to do with appropriations, but other than that I think the amendment is in order.

Mr. Chairman, I ask unanimous consent that the following language be deleted from my amendment:

Appropriations made to the Immigration and Naturalization Service shall be available for expenditures to carry out the purposes of this act.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. COOLEY. Mr. Chairman, reserving the right to object: As I said a moment ago, I personally have no objection to the amendment. However, I do not think it is appropriate for it to be

attached to the bill under consideration, and therefore I must object.

The CHAIRMAN. The Chair is ready to rule.

The gentleman from New York offers an amendment to the bill before the committee and the gentleman from North Carolina makes the point of order against the amendment on the ground that it is not germane and that it contains an appropriation.

The Chair has had an opportunity to study the amendment offered by the gentleman from New York. As the Chair understands the bill before the committee, H. R. 3283, it applies to certain Mexican aliens as a class and as described in the bill. The amendment offered by the gentleman from New York broadens the group to include Mexican aliens illegally in the United States, beyond the class described in the bill. The amendment also proposes to appropriate funds for a certain purpose described in the amendment.

For these two reasons, the Chair is constrained to sustain the point of order.

Mr. ROGERS of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Texas: Add a new section to be numbered 511 and to read as follows:

"For the purpose of further assisting in such production of agricultural commodities and products as the Secretary of Labor deems necessary, and notwithstanding any of the provisions of this act or the provisions of the Fair Labor Standards Act of 1938, as amended, the Secretary of Labor is empowered to authorize and shall authorize the employment in agriculture of employees under the age of 16 years, while such employees are not legally required to attend school."

Mr. COOLEY. Mr. Chairman, I make a point of order against the amendment, but will reserve it so the gentleman may present his amendment.

Mr. ROGERS of Texas. Mr. Chairman, I want to urge the adoption of the Poage bill, as it is legislation that will be of great help to the farmers of this Nation. The amendment that I offer at this time is offered as a further aid to the farmers and an aid to migrant workers of this country, and for the purpose of correcting an injustice that is now present in existing laws. This injustice that I refer to was brought about by a Senate amendment to the Fair Labor Standards Act in 1949. The wording of the amendment operated to prevent and prohibit the employment of the children of these migrant workers. The result is that the migrant workers who are following the harvest in order to earn a living cannot use their children to assist them. In many cases these workers have large families, that is 9, 10, or 12 children. All of these children who are under 16 years of age cannot work in the harvest if school is in session in the district in which they desire to work. This creates a situation where the children of these migrant workers must be left to roam the streets or find something to do while their parents are working in the field. The law does not require them to attend school in those districts but prohibits them from work-

ing in those districts while school is in session. My amendment merely provides in effect that these children may work so long as they are not legally required to attend school. It does not in any manner permit anyone to engage in unfair child-labor practices nor condone sweatshop tactics. I would not under any circumstances acquiesce in unfair child-labor practices nor in existence of sweatshops. This amendment does not allow a child to do any work that he is not allowed to do under the present law. It merely clarifies ambiguous and misleading language now existing in the law that has created a serious problem and will continue to do so. The migrant worker with a large family who is not allowed to use his family while work is available is forced to appeal to the relief boards in order to provide a living for his family while he is working and following the harvest. This has resulted in a serious social problem, and unless this law is corrected it will operate to contribute to child delinquency and in many cases to crime. The reason that many of you are not familiar with the problems of which I speak is because the enforcement of this law began only last year, and the full force of its bad effects will not be felt until the harvest season of this year.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. MAHON. I want to thank the gentleman from Texas and commend him for offering his amendment. It has been my pleasure to collaborate with him in drafting the amendment and in seeking support for it. I wish to urge that no point of order be made against it.

Is it not true that the amendment offered by the gentleman should be incorporated in this bill and, if it is held to be subject to a point of order, should it not be incorporated in a separate bill? With the farm-labor situation as it is, we need not only the Poage bill as written but a provision in some form which would meet the situation described by the gentleman from Texas [Mr. ROGERS].

Mr. ROGERS of Texas. That is exactly right. The reason this amendment is offered now is that we are fast approaching the harvest season. People in the farming districts all over this country are going to feel the pressure of this matter this year more than they have ever felt it before. I urge the adoption of this amendment. Let us put it in this bill, so that the farmer can be helped in harvesting crops and in producing the agricultural products we so badly need.

Mr. FISHER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Texas.

Mr. FISHER. The amendment offered by the gentleman is absolutely sound, whether it meets the parliamentary situation or not. The gentleman has a bill pending, and so do I and the gentleman who just spoke, Mr. MAHON, before the Committee on Education and Labor now on the same subject. As it now stands, a terrible injustice is being heaped upon the migrant

laborers themselves, because they are not permitted to pursue their normal livelihood and accumulate money to buy food and clothing and so forth during the school year which follows immediately after the harvest.

The gentleman is to be commended on bringing this up and for presenting the reasons for it. I am hopeful that we will have a hearing, if the amendment is not placed in the bill, and that legislation correcting this injustice can be brought in soon.

Mr. ROGERS of Texas. I thank the gentleman.

There is one particular situation I have in mind, and I can bring you isolated cases by the dozen. A boy finished high school when he was 15 years old. Because he was under 16 he could not work in agriculture under the present law.

Mr. SHELLEY. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from California.

Mr. SHELLEY. Does not the bill before us only contemplate the bringing in of male adult workers?

Mr. ROGERS of Texas. That is exactly true, but the people I am trying to help are not the children of the aliens but the children of the people that live in this country and have to make a living by following the harvest.

Mr. SHELLEY. So in addition to bringing in these Mexicans under a wide open thing we want to take the American migrant workers and destroy all our child labor standards as applied to them.

Mr. ROGERS of Texas. You are not destroying any child labor standards. If the gentleman knew anything about the Fair Labor Standards Act, he would know that statement was not true.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. CRAWFORD. As I understand the amendment, it does not interfere with any of the children attending school during the school term?

Mr. ROGERS of Texas. That is exactly right.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CRAWFORD. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for two additional minutes.

The CHAIRMAN. Does the gentleman from North Carolina [Mr. COOLEY] renew his point of order at this time?

Mr. COOLEY. Mr. Chairman, I will withhold my point of order further.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ROGERS of Texas. Here is what happened: Under the previous provisions of section, I believe, 13 (c), of the Fair Labor Standards Act, there was a provision that children could work in agriculture. It was not in those exact words, but it was to the effect that they could work in agriculture so long as they were not legally required to attend school. That was amended in 1949 by a

Senate amendment, and the language was changed at the insistence of the Secretary of Labor. It read this way, that those children could not work in agriculture so long as school was in session in the district in which the employee was living at the time of the employment.

So the result is that you are not creating a new pool of child labor. The children are allowed to labor right now under those exemptions, but you are prohibiting a child who is legally out of school in one district to work and help in another district where school is in session.

Mr. CRAWFORD. The gentleman represents one of the great districts of Texas, does he not?

Mr. ROGERS of Texas. That is right. Mr. CRAWFORD. A district where the children of families in that district attend universities and are college graduates and live on the ranches and on the wheat farms and grow cattle, and all of them, I would venture to say, in all of the families which the gentleman represents, who live on the farms, the children start work at anywhere from 5 to 7 years of age and work right on through? Is that not true?

Mr. ROGERS of Texas. Yes, sir. I did when I was that age. The situation under the present law is that a man who owns a farm and has four or five children can keep his own children out of school to harvest his own crop, but a man who is not fortunate enough to own land himself—

Mr. CRAWFORD. But who works in agriculture.

Mr. ROGERS of Texas. That is right—he cannot keep his own children out to work another man's harvest.

Mr. CRAWFORD. It is a case of destroying the child and destroying his future to live within the concepts of some crazy law that Congress has passed.

Mr. ROGERS of Texas. That is right. In many instances it seems to be the order of the day to use every available means to teach a child how not to work and to pass laws making it a penal offense for anyone to show a child how to work. This is not the kind of principle upon which this country was founded and it is not the kind of practice upon which this country will endure.

I want to express my deep appreciation to my distinguished colleagues from Texas, Mr. GEORGE MAHON, Mr. CLARK FISHER, and Mr. OMAR BURLESON, for their untiring efforts in seeking relief from the injustices of the present law, and I am sure that they join with me in the observation that our efforts will continue to remedy this situation should the point of order be sustained and this amendment not be made a part of this act. The outstanding work of these gentlemen toward a solution of this problem is well recognized by all the Members of this House.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. COOLEY. Mr. Chairman, I renew the point of order.

The amendment is obviously not in order, since the author of the amendment clearly indicates it is an effort to

amend the Fair Labor Standards Act, which is not before the House at this time at all.

The CHAIRMAN. Does the gentleman from Texas desire to be heard on the point of order?

Mr. McCARTHY. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. Does the gentleman from Texas desire to be heard on the point of order?

Mr. ROGERS of Texas. Mr. Chairman, I do not care to be heard further on the point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman from Minnesota.

Mr. McCARTHY. Mr. Chairman, I would suggest that there is an amendment to the Fair Labor Standards Act already in the bill, and it would seem to me another amendment to the same effect would not constitute a serious obstacle.

The CHAIRMAN (Mr. MILLS). The Chair is ready to rule.

The gentleman from Texas offers an amendment to which the gentleman from North Carolina makes a point of order on the ground that it is not germane to the bill before the committee.

The bill H. R. 3283 refers to a certain class of Mexican nationals, as described in the bill. The amendment offered by the gentleman from Texas does not relate to this group described in the bill, but to an entirely different group of individuals—American citizens and residents of the United States. The amendment therefore is beyond the purview of the bill H. R. 3283, and the Chair sustains the point of order.

The CHAIRMAN (Mr. GORE). If there are no further amendments under the rule, the Committee rises.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. GORE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 3283) to amend the Agricultural Act of 1949, pursuant to House Resolution 257, he reported the bill back to the House.

The SPEAKER. Under the rule the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. Unqualifiedly.

The SPEAKER. The gentleman qualifies.

The Clerk will report the motion.

The Clerk read as follows:

Mr. GROSS moves to recommit the bill H. R. 3283 to the Committee on Agriculture.

Mr. COOLEY. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. McCARTHY. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were refused.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. McCARTHY. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 240; nays 139; answered "present" 1; not voting 52; as follows:

[Roll No. 90]

YEAS—240

Aandahl	Ford	Morton
Abbitt	Forrester	Moulder
Abernethy	Frazier	Mumma
Albert	Fugate	Murdock
Allen, Calif.	Fulton	Murray, Tenn.
Andersen,	Gamble	Nelson
H. Carl	Gary	Nicholson
Anderson, Calif.	Gathings	Norblad
Andresen,	Gavin	O'Hara
August H.	George	Ostertag
Andrews	Gore	Passman
Arends	Gossett	Patman
Armstrong	Graham	Patten
Ayres	Granger	Phillips
Barden	Grant	Pickett
Bates, Mass.	Gregory	Poage
Battle	Gwinn	Potter
Beamer	Hagen	Poulson
Beckworth	Hale	Priest
Belcher	Halleck	Radwan
Bennett, Fla.	Haind	Rains
Bentsen	Harden	Reed, Ill.
Berry	Hardy	Reed, N. Y.
Betts	Harris	Rees, Kans.
Blackney	Harrison, Va.	Regan
Boggs, Del.	Harrison, Wyo.	Richards
Bolton	Harvey	Riehlman
Bonner	Hays, Ark.	Riley
Bosone	Hébert	Rivers
Boykin	Herlong	Roberts
Bramblett	Hill	Robeson
Brooks	Hillings	Rogers, Fla.
Brown, Ga.	Hinshaw	Rogers, Mass.
Brown, Ohio	Hoeven	Rogers, Tex.
Brownson	Hoffman, Ill.	Sadiak
Bryson	Hoffman, Mich.	St. George
Budge	Holmes	Schwabe
Buffett	Hope	Scrivner
Burdick	Horan	Scudder
Burleson	Hunter	Seely-Brown
Burton	Jackson, Calif.	Shafer
Bush	Jackson, Wash.	Sheppard
Butler	James	Short
Byrnes, Wis.	Jenison	Sikes
Camp	Jensen	Simpson, Ill.
Chelf	Johnson	Smith, Miss.
Chenoweth	Jones, Mo.	Smith, Wis.
Chipperfield	Jones,	Springer
Church	Hamilton C.	Stanley
Cole, Kans.	Jones,	Steed
Cole, N. Y.	Woodrow W.	Stefan
Colmer	Judd	Stigler
Combs	Keogh	Stockman
Cooley	Kerr	Taber
Cooper	Kilburn	Tackett
Cotton	Lanham	Talle
Cox	Lantaff	Teague
Crawford	Love	Thompson,
Crumpacker	Lucas	Mich.
Cunningham	Lyle	Thompson, Tex.
Curtis, Mo.	McConnell	Thornberry
Curtis, Nebr.	McCulloch	Towe
Dague	McDonough	Vail
Davis, Ga.	McGregor	Van Pelt
Davis, Tenn.	McKinnon	Van Zandt
Davis, Wis.	McMullen	Vaughn
Deane	McVey	Vinson
DeGraffenried	Mack, Wash.	Vursell
Dempsey	Magee	Walter
Denny	Mahon	Watts
Devereux	Mansfield	Wharton
D'Ewart	Martin, Iowa	Wheeler
Dolliver	Martin, Mass.	Whitaker
Dondero	Meador	Wickersham
Dorn	Miller, Md.	Williams, Miss.
Doughton	Miller, Nebr.	Willis
Eaton	Miller, N. Y.	Wilson, Tex.
Ellsworth	Mills	Winstead
Engle	Mitchell	Woodcott
Fellows	Morano	Wood, Ga.
Fernandez	Morris	Wood, Idaho
Fisher	Morrison	

NAYS—139

Addonizio	Goodwin	O'Brien, Ill.
Angell	Granahan	O'Neill
Aspinall	Green	O'Toole
Bailey	Greenwood	Patterson
Baker	Gross	Perkins
Bakewell	Hart	Philbin
Baring	Havenner	Polk
Barrett	Hays, Ohio	Price
Bates, Ky.	Hedrick	Prouty
Beall	Heffernan	Quinn
Bender	Heller	Rabaut
Bennett, Mich.	Herter	Ramsay
Bishop	Heslton	Rankin
Blatnik	Hess	Reece, Tenn.
Bolling	Holfield	Rhodes
Bow	Howell	Ribicoff
Bray	Hull	Rodino
Brehm	Jarman	Rogers, Colo.
Burnside	Javits	Rooney
Byrne, N. Y.	Jenkins	Roosevelt
Canfield	Jonas	Sabath
Cannon	Karsten, Mo.	Sasser
Case	Kean	Saylor
Celler	Kearney	Scott,
Chudoff	Kearns	Hugh D., Jr.
Clemente	Keating	Secret
Clevenger	Kelly, N. Y.	Sheehan
Coudert	Kennedy	Shelley
Crosser	King	Sieminski
Delaney	Kirwan	Sittler
Denton	Klein	Spence
Dollinger	Kluczynski	Staggers
Donohue	Lane	Taylor
Donovan	Latham	Tollefson
Doyle	Lesinski	Weichel
Eberhart	Lind	Welch
Elston	McCarthy	Widnall
Fallon	McGrath	Wier
Felhan	McGuire	Wigglesworth
Fenton	Machrowicz	Williams, N. Y.
Fine	Mack, Ill.	Wilson, Ind.
Fogarty	Madden	Withrow
Forand	Marshall	Wolverton
Furcolo	Mason	Yates
Garmatz	Miller, Calif.	Yorty
Golden	Morgan	Zablocki
	Multer	

ANSWERED "PRESENT"—1

McCormack

NOT VOTING—52

Adair	Gillette	O'Brien, Mich.
Allen, Ill.	Gordon	O'Konski
Allen, La.	Hall	Powell
Anfuso	Edwin Arthur	Preston
Auchincloss	Hall	Reams
Boggs, La.	Leonard W.	Redden
Breen	Irving	Scott, Hardie
Buckley	Jones, Ala.	Simpson, Pa.
Busbey	Kelley, Pa.	Smith, Kans.
Carlyle	Kersten, Wis.	Smith, Va.
Carnahan	Kilday	Sutton
Chatham	Larcade	Thomas
Dawson	LeCompte	Trimble
Dingell	McMillan	Velde
Durham	Morrow	Vorrs
Elliott	Murphy	Werdel
Evins	Murray, Wis.	Whitten
Flood	Norrell	Woodruff

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Whitten for, with Mr. Kelley of Pennsylvania against.

Mr. Boggs of Louisiana for, with Mr. Buckley against.

Mr. Jones of Alabama for, with Mr. Flood against.

Mr. Carlyle for, with Mr. Dingell against.
Mr., Auchincloss for, with Mr. Anfuso against.

Mr. Adair for, with Mr. Irving against.
Mr. Preston for, with Mr. O'Konski against.

Mr. Norrell for, with Mr. McCormack against.

Mr. Werdel for, with Mr. Powell against.
Mr. Evins for, with Mr. Woodruff against.

Mr. Trimble for, with Mr. Velde against.
Mr. Durham for, with Mr. Murphy against.

Mr. Redden for, with Mr. Gordon against.
Mr. Smith of Virginia for, with Mr. Dawson against.

Mr. Larcade for, with Mr. Breen against.
Mr. Chatham for, with Mr. O'Brien of Michigan against.

Mr. McMillan for, with Mr. Carnahan against.

Until further notice:

Mr. Allen of Louisiana with Mr. Merrow.
Mr. Sutton with Mr. Murray of Wisconsin.
Mr. Kilday with Mr. Simpson of Pennsylvania.

Mr. Elliott with Mr. Leonard W. Hall.

Mr. McCORMACK. Mr. Speaker, on this bill I voted "nay." I have a live pair with the gentleman from Arkansas, Mr. NORRELL. If he were here, he would vote "yea." I withdraw my vote and vote "present."

Mrs. ROGERS of Massachusetts changed her vote from "nay" to "yea."

Mr. BENDER changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 984) to amend the Agricultural Act of 1949, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Agricultural Act of 1949 is amended by adding at the end thereof a new title to read as follows:

"TITLE V—AGRICULTURAL WORKERS

"SEC. 501. For the purpose of assisting in such production of agricultural commodities and products as the Secretary of Agriculture deems necessary, by supplying agricultural workers from the Republic of Mexico (pursuant to arrangements between the United States and the Republic of Mexico), the Secretary of Labor is authorized—

"(1) to recruit such workers (including any such workers temporarily in the United States under legal entry);

"(2) to establish and operate reception centers at or near the places of actual entry of such workers into the continental United States for the purpose of receiving and housing such workers while arrangements are being made for their employment in, or departure from, the continental United States;

"(3) to provide transportation for such workers from recruitment centers outside the continental United States to such reception centers and transportation from such reception centers to such recruitment centers after termination of employment;

"(4) to provide such workers with such subsistence, emergency medical care, and burial expenses (not exceeding \$150 burial expenses in any one case) as may be or become necessary during transportation authorized by paragraph (3) and while such workers are at reception centers;

"(5) to assist such workers and employers in negotiating contracts for agricultural employment (such workers being free to accept or decline agricultural employment with any eligible employer and to choose the type of agricultural employment they desire, and eligible employers being free to offer agricultural employment to any workers of their choice not under contract to other employers);

"(6) to guarantee the performance by employers of provisions of such contracts relating to the payment of wages or the furnishing of transportation.

"Sec. 502. No workers shall be made available under this title to any employer unless

such employer enters into an agreement with the United States—

"(1) to indemnify the United States against loss by reason of its guaranty of such employer's contracts;

"(2) to reimburse the United States for essential expenses, not including salaries or expenses of regular department or agency personnel, incurred by it for the transportation and subsistence of workers under this title in amounts not to exceed \$20 per worker; and

"(3) to pay to the United States, in any case in which a worker is not returned to the reception center in accordance with the contract entered into under section 501 (5) and is apprehended within the United States, an amount determined by the Secretary of Labor to be equivalent to the normal cost to the employer of returning other workers from the place of employment to such reception center, less any portion thereof required to be paid by other employers.

"Sec. 503. No workers recruited under this title shall be available for employment in any area unless the Secretary of Labor for such area has determined and certified that (1) sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed, and (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed, and (3) reasonable efforts have been made to attract domestic workers for such employment at wages and standard hours of work comparable to those offered to foreign workers.

"Sec. 504. Workers recruited under this title who are not citizens of the United States shall be admitted to the United States subject to the immigration laws (or if already in, by virtue of legal entry and otherwise eligible for admission to, the United States may, pursuant to arrangements between the United States and the Republic of Mexico, be permitted to remain therein) for such time and under such conditions as may be specified by the Attorney General but, notwithstanding any other provision of law or regulation, no penalty bond shall be required which imposes liability upon any person for the failure of any such worker to depart from the United States upon termination of employment: *Provided*, That no workers shall be made available under this title to, nor shall any workers made available under this title be permitted to remain in the employ of, any employer who has in his employ any Mexican alien when such employer knows or has reasonable grounds to believe or suspect or by reasonable inquiry could have ascertained that such Mexican alien is not lawfully within the United States.

"Sec. 505. (a) Section 210 (a) (1) of the Social Security Act, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended."

"(b) Section 1426 (b) (1) of the Internal Revenue Code, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended."

"(c) Workers recruited under the provisions of this title shall not be subject to the head tax levied under section 2 of the Immigration Act of 1917 (8 U. S. C., sec. 132).

"Sec. 506. For the purposes of this title, the Secretary of Labor is authorized—

"(1) to enter into agreements with Federal and State agencies; to utilize (pursuant to such agreements) the facilities and serv-

ices of such agencies; and to allocate or transfer funds or otherwise to pay or reimburse such agencies for expenses in connection therewith;

"(2) to accept and utilize voluntary and uncompensated services; and

"(3) when necessary to supplement the domestic agricultural labor force, to cooperate with the Secretary of State in negotiating and carrying out agreements on arrangements relating to the employment in the United States, subject to the immigration laws, of agricultural workers from the Republic of Mexico.

"Sec. 507. For the purposes of this title—

"(1) The term 'agricultural employment' includes services or activities included within the provisions of section 3 (f) of the Fair Labor Standards Act of 1938, as amended, or section 1426 (h) of the Internal Revenue Code, as amended.

"(2) The term 'employer' shall include an association, or other group, of employers, but only if (A) those of its members for whom workers are being obtained are bound, in the event of its default, to carry out the obligations undertaken by it pursuant to section 502, or (B) the Secretary determines that such individual liability is not necessary to assure performance of such obligations.

"Sec. 508. Nothing in this act shall be construed as limiting the authority of the Attorney General, pursuant to the general immigration laws, to permit the importation of aliens of any nationality for agricultural employment as defined in section 507, or to permit any such alien who entered the United States legally to remain for the purpose of engaging in such agricultural employment under such conditions and for such time as he, the Attorney General, shall specify.

"Sec. 509. Any person who shall employ any Mexican alien not duly admitted by an immigration officer or not lawfully entitled to enter or to reside within the United States under the terms of this act or any other law relating to the immigration or expulsion of aliens, when such person knows or has reasonable grounds to believe or suspect or by reasonable inquiry could have ascertained that such alien is not lawfully within the United States, or any person who, having employed such an alien without knowing or having reasonable grounds to believe or suspect that such alien is unlawfully within the United States and who could not have obtained such information by reasonable inquiry at the time of giving such employment, shall obtain information during the course of such employment indicating that such alien is not lawfully within the United States and shall fail to report such information promptly to an immigration officer, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$2,000, or by imprisonment for a term not exceeding 1 year, or both, for each alien in respect to whom any violation of this section occurs.

"Sec. 510. No workers will be made available under this title for employment after December 31, 1952."

Mr. COOLEY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Mr. COOLEY moves to strike out all after the enacting clause of S. 984, and insert the provisions of H. R. 3283, as passed: "That the Agricultural Act of 1949 is amended by adding at the end thereof a new title to read as follows:

"TITLE V—AGRICULTURAL WORKERS

"Sec. 501. For the purpose of assisting in such production of agricultural commodities and products as the Secretary of Agriculture deems necessary, by supplying agricultural workers from the Republic of Mexico (pur-

suant to arrangements between the United States and the Republic of Mexico), the Secretary of Labor is authorized—

"(1) to recruit such workers (including any such workers temporarily in the United States);

"(2) to establish and operate reception centers at or near the places of actual entry of such workers into the continental United States for the purpose of receiving and housing such workers while arrangements are being made for their employment in, or departure from, the continental United States;

"(3) to provide transportation for such workers from recruitment centers outside the continental United States to such reception centers and transportation from such reception centers to such recruitment centers after termination of employment;

"(4) to provide such workers with such subsistence, emergency medical care, and burial expenses (not exceeding \$150 burial expenses in any one case) as may be or become necessary during transportation authorized by paragraph (3) and while such workers are at reception centers;

"(5) to assist such workers and employers in negotiating contracts for agricultural employment (such workers being free to accept or decline agricultural employment with any eligible employer and to choose the type of agricultural employment they desire, and eligible employers being free to offer agricultural employment to any workers of their choice not under contract to other employers);

"(6) to guarantee the performance by employers of provisions of such contracts relating to the payment of wages or the furnishing of transportation.

"Sec. 502. No workers shall be made available under this title to any employer unless such employer enters into an agreement with the United States—

"(1) to indemnify the United States against loss by reason of its guaranty of such employer's contracts;

"(2) to reimburse the United States for essential expenses, not including salaries or expenses of regular department or agency personnel, incurred by it for the transportation and subsistence of workers under this title in such amounts, not to exceed \$10 per worker; and

"(3) to pay to the United States, in any case in which a worker is not returned to the reception center in accordance with the contract entered into under section 501 (5), an amount determined by the Secretary of Labor to be equivalent to the normal cost to the employer of returning other workers from the place of employment to such reception center, less any portion thereof required to be paid by other employers.

"Sec. 503. No workers recruited under this title shall be available for employment in any area unless the Regional Director, Bureau of Employment Security, United States Department of Labor for such area has determined and certified that (1) sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed, and (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed.

"Sec. 504. Workers recruited under this title who are not citizens of the United States shall be admitted to the United States subject to the immigration laws (or if already in, and otherwise eligible for admission to, the United States may, pursuant to arrangements between the United States and the Republic of Mexico, be permitted to remain therein) for such time and under such conditions as may be specified by the Attorney General but, notwithstanding any other provision of law or regulation, no penalty bond shall be required which im-

poses liability upon any person for the failure of any such worker to depart from the United States upon termination of employment.

"Sec. 505. (a) Section 210 (a) (1) of the Social Security Act, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended."

"(b) Section 1426 (b) (1) of the Internal Revenue Code, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended."

"(c) Workers recruited under the provisions of this title shall not be subject to the head tax levied under section 2 of the Immigration Act of 1917 (8 U. S. C., sec. 132).

"Sec. 506. For the purposes of this title, the Secretary of Labor is authorized—

"(1) to enter into agreements with Federal and State agencies; to utilize (pursuant to such agreements) the facilities and services of such agencies; and to allocate or transfer funds or otherwise to pay or reimburse such agencies for expenses in connection therewith;

"(2) to accept and utilize voluntary and uncompensated services; and

"(3) when necessary to supplement the domestic agricultural labor force, to cooperate with the Secretary of State in negotiating and carrying out agreements or arrangements relating to the employment in the United States, subject to the immigration laws, of agricultural workers from the Republic of Mexico.

"Sec. 507. For the purposes of this title—

"(1) The term 'agricultural employment' includes services or activities included within the provisions of section 3 (f) of the Fair Labor Standards Act of 1938, as amended, or section 1426 (h) of the Internal Revenue Code, as amended, horticultural employment, cotton ginning, compressing and storing, crushing of oil seeds, and the packing, canning, freezing, drying, or other processing of perishable or seasonable agricultural products.

"(2) The term 'employer' includes associations or other groups of employers.

"Sec. 508. Nothing in this act shall be construed as limiting the authority of the Attorney General, pursuant to the general immigration laws, to permit the importation of aliens of any nationality for agricultural employment as defined in section 508, or to permit any such alien who entered the United States legally to remain for the purpose of engaging in such agricultural employment under such conditions and for such time as he, the Attorney General, shall specify.

"Sec. 509. No workers shall be made available under this title for employment after December 31, 1953."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

By unanimous consent, the proceedings by which the bill H. R. 3283 was passed were vacated, and that bill was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may revise and extend their remarks on the bill (H. R. 3283) to amend the Agricultural Act of 1949.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1951

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 281, providing for the consideration of H. R. 3871, a bill to amend the Defense Production Act of 1950, and for other purposes, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3871) to amend the Defense Production Act of 1950, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 5 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be considered as having been read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. MADDEN. Mr. Speaker, because of a clerical error on the resolution, I ask unanimous consent that the four words "considered as having been", on page 1, line 10, be stricken out.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Ohio [Mr. Brown] and yield myself such time as I may use.

The SPEAKER. The gentleman from Indiana is recognized.

Mr. MADDEN. Mr. Speaker, this legislation amends the Defense Production Act of 1950, and if enacted into law, without damaging amendments, will greatly stabilize our war effort and reduce the cost of living.

This is an open rule and calls for 5 hours' general debate, after which amendments can be offered under the 5-minute rule.

When Soviet Russia, acting through Communist China, attacked South Korea last June, it served notice on the free world that its first step toward Communist global domination had taken place. Had the United States, along with the other democracies in the United Nations, not taken military action in Korea, other free nations in Asia and Western Europe would now be receiving the whiplash of communistic aggression. Had we not acted in Korea, America would soon be the only free nation in a sea of world communism.

We must also not forget that most of the democratic nations belonging to the United Nations have not as yet recovered from the devastating bombings and repercussions of World War II. Con-

sequently, upon the United States fell the duty to spearhead the drive against communistic aggression.

After June 25, 1950, our country was compelled to change from a peace to a wartime economy. Already billions have been expended and billions more will be spent not only to reestablish our own military power and defenses, but to aid our allies to rebuild their military strength to resist possible Communist aggression.

Unfortunately, a percentage of the American public and too many Members of Congress have failed to realize that our domestic economy is now in the preliminary stages of a devastating inflation unless something is done at once to stop it. Too many of our public officials and some of our large newspapers and prominent radio commentators are playing politics not only with our war and defense effort, but with inflation. We all realize that it has been highly popular to criticize the war and defense effort and to ridicule the necessity for economic controls while a percentage of corporations and individuals are wallowing in war profits and the cost of living is soaring day by day. The American people are gradually realizing that the time has arrived when desperate efforts must be made to groove our production and regulate the cost of living on a wartime basis. This is the responsibility of the Congress and if inflation gets beyond control, the American public will lay the responsibility where it rightly belongs.

President Truman; Charles E. Wilson, Director of Defense Mobilization; Eric Johnston; General Eisenhower; General Bradley; and all responsible leaders of our war effort are asking for legislation which will give them authority to proceed unhampered by economic problems in their fight for an effective war and defense program.

Some of our legislators still think that the American people will not submit to wartime sacrifice and inconvenience unless our own country is attacked. These people are being misled by self-seeking politicians and profiteers who in their mad rush for political and financial advantage, are gradually bringing our private enterprise economy to the brink of ruination. Since last January, military orders have been placed at an average rate of one billion a week. More than twenty-seven billion has been obligated for military requirements since the outbreak of hostilities in Korea. It is estimated that by July 1, 1952, at least an additional \$60,000,000,000 will be spent and obligated.

SMALL BUSINESS

Iron and steel production will increase over 16,000,000 tons in the next 18 months. Aluminum, copper, manganese, and dozens of other strategic metals and other necessities must be grooved into a priorities and allocation system in order to make our wartime program effective. Failure to secure equitable distribution of basic materials could not only ruin small business, but hamper our production effort. This legislation provides for these regulations.

Many small-business enterprises, unable to meet increased prices for necessary materials, are already forced out of business and numerous others are on the brink of collapse. Competition for skilled manpower in an already tight labor market would be certain to force wages, and thus prices, upward. In the absence of a stabilization program, it would be foolish to control the disposition of essential materials if prices are allowed to soar. Secretary of Defense Marshall has pointed out that since Korea, the cost of military items alone has risen approximately \$7,000,000,000 through inflation.

WAGES AND PRICES

We are beginning to witness devastating tie-ups by strikes throughout the country. Ninety percent of the wage problem today is brought about because of high living costs and ineffective price control. It is unrealistic to talk about trying to stabilize wages at a time when our over-all economy is not stabilized and prices and profits continue to soar. High prices and the cost of living have soared deplorably since the Korean trouble started. The vicious circle has been expanding since 1944. In 1944, industry and business considered their annual profit satisfactory, but during the last 7 years, profits have increased 97 percent and wages increased, on the average, only 26 percent. In other words, profits have increased three and one-half times beyond wages. The Government has clamped controls on wages. Sellers of manufactured goods are guaranteed the same margin of profits they made before controls. Sellers of labor are rigidly limited to a 10-percent increase. This does not apply to millions of unorganized workers. Prices soar, but wages are dormant for millions. Everyone admits that there should be equality of sacrifice in the war effort. Very few of our employers and statesmen will agree to place this equality in practical operation.

PROFITS

Ten years ago we had only two large corporations with gross incomes of one billion or more. Today we have 19, topped by General Motors with an annual income of seven and one-half billion; A. T. & T., three and one-third billion; Standard Oil, A. & P., and Sears, Roebuck, around three billion, and on down to Gulf Oil with one and one-half billion income. I am not complaining against an industry or business just because it is large, but these institutions should not be opposing legislation which would aid millions of consumer families. Today millions cannot enjoy even the simplest pleasures and conveniences because of wartime inflation.

Stabilization and control legislation is absolutely necessary in industrial areas or our war production in these areas will be wrecked. The industrial Calumet region of Indiana is but one of many metropolitan centers throughout the United States wherein thousands of workers have come from other areas of the country to work in the steel mills, oil refineries, transportation companies, and factories of all descriptions. The

cost of living for meats, groceries, clothing, and rents has leaped immeasurably since June 30, 1950. Hundreds of steel workers in my district have not been able to provide a steak for their families in months. Their pay check is expended the day it is received and numerous families have already disposed of their war bonds in order to buy the bare necessities of life. In my last two visits home, committees and individuals have informed me of this serious situation.

POST OFFICE WORKERS AND RETIRED CITIZENS

Postal employees are resigning because they cannot support their families on their postal salaries in that high-cost-of-living area. Postal service in Hammond, Gary, and East Chicago, Ind., has greatly deteriorated because over 50 percent of the postal employees are new and inexperienced. This situation is brought about by reason of the resignations of the regular postal workers.

School teachers and office employees have the same complaint. Retired folks and older people living on pensions and retirement income cannot stretch their paltry income on the present inflationary prices. We are spending billions to curtail communism, but unless the cost of living is reduced we are creating millions of discontented and unhappy citizens upon whom the communistic agitators can find a fertile field to add memberships to their cause.

BEEF AS INFLATION EXAMPLE

The rapid rise of the cost of beef is an example of inflation in a wartime economy. In January 1950 cattle were selling at 115 percent of parity. In April of this year the price of beef stood at 152 percent of parity. The ceiling after the first roll-back represents 135 percent of parity. After October 1, if the third roll-back is allowed to take place, cattle prices should be between 120 and 125 percent of parity.

Figures of the United States Department of Agriculture show that in the past 11 years feeders in the Corn Belt have made an average \$20.83 profit for every head of cattle they sell. Their profits in the past 12 months have been the highest in history—\$68.54 per head. This is \$25 more profit per head of cattle than in the plush 1946-47 season, after OPA price controls were killed. The 10-percent roll-back of May 22 has cut back profits per head of cattle to \$47.69, according to the Government's agriculture experts. Yet the story the cattlemen tell the public is that they are losing money. What they mean is that instead of making all-time record profits they are earning 129 percent more than the 11-year average profit per head. In other words, if the Government roll-back is not carried out meat foods of all kinds will disappear from the tables of the working families of America.

RENT CONTROL

Rent control is provided for in this legislation. Shelter is the second most important expenditure in the family budget. At military establishments and in industrial defense areas the housing crisis is deplorable. On May 4, when this Congress reduced the number of defense housing units to 5,000 annually, it struck

a body blow to tenants in the above-described areas. For 15 years the real estate lobby stated they could provide low-priced housing. They have failed miserably. At least 135,000 low-priced public housing units should be built annually so workers and their families could leave trailer camps, shacks, and slums.

It is estimated that in the industrial area of northwest Indiana and south Chicago, over 100,000 defense workers and their families live in trailer camps and dilapidated shacks. Furthermore, owners of these shacks and run-down apartment buildings are charging outrageously high rentals.

Mayor Eugene Swartz, of Gary, Ind., recently testified before the Banking and Currency Committee that during the last war, thousands of defense workers in this area slept on cots in store buildings. These cots were rented three times in 24 hours to workers on the various shifts in the steel mills. The steel mills in this area provided old pullman cars in the switching yards for additional sleeping quarters for defense workers.

When this Congress refused the public housing legislation a few months ago, it threw another wreath around the real estate lobby's neck and relegated millions of workers in urban and industrial areas throughout America to live under abhorrent conditions. Defeat of legislation of this kind will eventually bring dissatisfaction and discontent and lead on to strikes which will greatly hamper our war effort.

In decontrolled cities in my district, I have received numerous letters and telegrams where rents have increased 50 to 150 percent. On the other hand, I have received letters from landlords who have not profiteered in this housing crisis. These landlords should be given every right to receive a reasonable income on their investment and it is so provided in this legislation. Rent control in these critical areas should be immediately abolished when the housing crisis relaxes.

IMPORTS AND DEFENSE PROPERTY

This legislation will also regulate the importations of manufactured products of any raw material upon which domestic priorities or allocations are in effect.

It also provides for authority for acquiring property by condemnation or by purchase, donation, or other means of transfer. The Defense Production Act at present provides only for the requisitioning of real and personal property for defense needs. Under these provisions, agreements by the Armed Services Committee of the House and Senate will be necessary for the acquisition of any real property for the use of the military.

Provisions are also set out in this legislation for the protection of the small-business man.

AUTO AND CONSUMER CREDITS

Provisions are also made for the relaxation of regulation W. Automobile dealers and car purchasers in my district, as well as other areas throughout the country, have been greatly curtailed on the sale and purchase of used and new automobiles because of the unreasonable

high down payments and short-time credits on the sale of cars. The automobile is no longer a luxury. The breadwinner of every working family in America needs an automobile to go to and from his employment and for other personal and family purposes. Under the present regulation, the average worker cannot comply with the large down payment and limited time credit required for an automobile.

TAXES AND INFLATION

Last week the House passed the largest tax bill in history which was necessary in order to pay for the largest defense and military war cost in our history.

Seventy-four cents out of every Federal tax dollar goes to pay for war and defense. Approximately five and one-half billion is expended every year for interest on our national war debt. Almost eight billion is expended for benefits, hospitalization, and so forth, for the veterans of past wars. The billions that have been spent to rehabilitate France, Italy, Greece, and Turkey in the last few years has saved all western Europe from communism. Paul Hoffman, Eric Johnston, Generals Marshall, Bradley, Eisenhower, and other nonpolitical leaders have testified that this has been our greatest investment. It has not been a question as to whether our country can afford it, but the fact is America could not afford to refuse this expenditure. The future of the free world, including ourselves, depends upon it.

Unless this stabilization and price-control legislation is enacted into law, millions of our citizens will not have the cash to pay the taxes called for in this war and defense effort. Every true American is looking forward to the day when controls of all kinds can be eliminated, but we must undergo sacrifice when we are preparing our country in a Herculean effort to curb the spread of communistic dictatorship. After all, the price paid by the ordinary civilian is small with the sacrifice our boys are making at the front in fighting the battle against the fanatical Communists.

With equality of sacrifice on the part of everyone—business, agriculture, labor, and all other groups—we can win this fight and return to our normal peacetime economy.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. Did I understand the gentleman to say that labor had received only a 26-percent increase since 1940?

Mr. MADDEN. That is right.

Mr. MILLER of Nebraska. What authority does the gentleman cite for that?

Mr. MADDEN. I got this from the Bureau of Labor Statistics.

Mr. MILLER of Nebraska. I am sure the gentleman wants to examine those figures very carefully.

Mr. MADDEN. I will recheck on it. Mr. MILLER of Nebraska. Because the cost of Government has increased about 500 percent.

Mr. MADDEN. I might say that in my area thousands of postal workers

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June 21. It means very much indeed to me; particularly helpful is the final paragraph regarding WRIGHT PATMAN. He was thoroughly friendly when I had organized the Committee for the Nation—of which I was also the directing head—to support Roosevelt price-level restoration in 1932 and 1933. He permitted us the use of his office, praised the efforts we were making, as per the attached copy of his letter to us dated February 10, 1934.

Some years later the Committee for Constitutional Government put on campaigns in Texas cities for the distribution of the Norton book on the Constitution to high-school students, having them participate in quiz contests. In large cities, war bonds and university scholarships were awarded the winners. Almost 100,000 students participated; patriotic citizens across Texas collected about \$125,000 to pay for the books and to provide the prizes.

One such campaign in Texarkana raised about \$3,000—and a short time thereafter a rival candidate, with whom we had nothing whatsoever to do, announced himself for the primaries against PATMAN, who seems to have jumped to the conclusion that it was our money and the patriotic talks of Pettengill and others in connection with the contests that fomented opposition, and since then PATMAN has been on the warpath.

In my first trial, in 1945, for refusal to tell the Anderson committee who had given us \$100 or more, charges emanated from PATMAN, bearing his name, that we were "political." In summing up, my attorney said: "It is a short walk downhill from the House Office Building to this courthouse. Why didn't PATMAN come here and, under oath, subject to cross-examination, make his statements that were wrongly placed before the jury?"

His more recent assaults on me were mailed to the jurors, last April, at the end of the trial, but reached them after their verdict had been rendered.

Five minutes after I had purchased the New York Evening Mail, in 1915, I picked up the telephone, called Colonel Roosevelt and told him he might use the Mail as his personal organ as he did under the ownership of Henry Stoddard. One of the great memories of my life is the three and a half years of close cooperation through the newspaper and through personal association, projecting T. R.'s ideas of preparedness.

A few days after war broke out, he called me, saying, "I am sending you an inscribed photograph which I suggest you hang in your front office because you will be under attack for the stand that you have taken on many issues for my policies." The last letter I had from him was a few weeks before his death, inviting me to Oyster Bay for dinner and evening, to go over the testimony he would give in my behalf.

Roosevelt told me he read the Mail every day, frequently commented on its editorials, felt that the paper was expressing his ideas and his viewpoint more fully than any other daily newspaper.

I am sending you, under separate cover, Pettengill's three books, Jefferson the Forgotten Man, Smoke Screen, and For Americans Only, of which we distributed 1,000,000 copies between 1938 and 1944—years before the Lobbying Act was passed (1946).

Thanks again for the forthright statement that you have so generously made. If you ever get to New York, do give us a chance to exchange thought with you.

Sincerely yours,

EDWARD A. RUMELY,
Executive Secretary.

As current events stress the need for free speech and a free press, the attempt to silence the Committee for Constitutional Government and Dr. Rumely—the Constitutional Educational League

and Joseph Kamp, its guiding genius and who is today on trial in a District court on charge of contempt of Congress—is of the utmost interest.

It would be helpful if those behind this attempt to suppress free speech and a free press would frankly and free from congressional immunity state their purpose, the sources of their information, and who it is that pays for the printing and circulation of their propaganda.

My colleague the gentleman from Texas, WRIGHT PATMAN, is greatly concerned—as were some members of the House Lobbying Committee—as to who paid for the publication and circulation of the pamphlets and books sold by the Committee for Constitutional Government. They also wanted to know who it was that contributed to the organization represented by Kamp. Would it not be fair to ask who now pays for the publication of my colleague's speeches attacking these organizations; who pays for their circulation? Why do certain unions circulate his remarks? Presumably he will not be subjected to such an inquisition as that to which Dr. Rumely and Joseph Kamp were subjected.

I ask my colleague the gentleman from Texas [Mr. PATMAN] is there any merit to the old saying that what is sauce for the goose is sauce for the gander? Why persecute Dr. Rumely and Joseph Kamp for a refusal to give the House information when like—similar—information is not made available to us as to the printing and publication of the propaganda which you originate?

AGRICULTURAL ACT OF 1949

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 984) to amend the Agricultural Act of 1949, with House amendments thereto, insist on the amendments of the House and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. COOLEY, Mr. POAGE, Mr. GRANT, Mr. HOPE, and Mr. AUGUST H. ANDRESEN.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 10 minutes.

E. A. RUMELY

(Mr. PATMAN asked and was given permission to revise and extend his remarks and include certain statements and excerpts.)

RUMELY CONVICTED ON TESTIMONY THAT SHOWED HIM GUILTY OF TREASON

Mr. PATMAN. Mr. Speaker, I am like the gentleman from Michigan, I do not impugn the motives of any Member of the House; I do not question their motives. Each Member has his own responsibility in this great body to his own constituents, and he does not owe an obligation to any of his colleagues in endeavoring to serve his constituents to the best of his knowledge and ability. But, since the gentleman has seen fit to

make what I construe to be an attack on me by reason of what I have said about one E. A. Rumely, of course I shall refer to that and reply to it the best I can without, of course, impugning the gentleman's motives. The gentleman from Michigan has used less than 5 minutes time preceding this time I am using. I hope he brought out the important points so I can cover them.

This man, E. A. Rumely, I consider one of the most dangerous citizens who has ever been in the United States of America. I think he is dangerous, especially dangerous, because of his great ability to do certain things so devastating and destructive, in such a deceitful, clever, and adroit way. He is able to siphon out of large corporations huge sums of money to spend for purely propaganda political purposes in violation of the laws of our country, and he has repeatedly refused to tell congressional committees where and how much money he received from these different corporations or to give them the information that would permit or enable congressional committees to correct the loopholes in the law, if there are any loopholes in the law that permit him to do that.

READ UNITED STATES V. RUMELY (293 FEDERAL REPORTER 560)

In the law offices of this country, and most of the offices especially where they have a complete legal library, you will find what is known as the Federal Reporter, and any lawyer or any person who is interested in E. A. Rumely can find out his whole history and the type of person he is by going to 293 Federal Reporter and turning to page 532, the case on appeal of E. A. Rumely against the United States of America, and there in that case you will find what the judiciary of the United States has said about E. A. Rumely. There you will find that E. A. Rumely was convicted on testimony which shows that he was guilty of treason during World War I. He came here from Germany with \$1,400,000. He took that money and bought the New York Evening Mail, at that time a famous daily newspaper in New York. He refused to disclose where he received that money. He refused to tell the United States authorities that he got that money from the Imperial German Government. He refused to tell the authorities of the United States that he bought that newspaper to help Germany against the United States. You read that testimony and you will be convinced, and any lawyer will be convinced, just like a jury in New York was convinced, like the judge in New York was convinced, like the circuit court of appeals was convinced, and like the United States Supreme Court was convinced. And he was sent to the Federal penitentiary.

TECHNICALITIES AND LEGAL DEFENSES IN RUMLEY CASE EQUATED ONLY BY COMMUNISTS TRIAL

It is true that he was pardoned, yes, but you can only be pardoned if you are guilty. There is nothing to be pardoned of otherwise. He had a fair trial. He had dozens of witnesses. There is no case in the books in this country that

parallels that one for expenditure of funds for legal fees and for consumption of time in a courthouse in the trial of a case, except the trial of the 11 Communists. That is the only one that surpasses the case of E. A. Rumely, and there were 11 of them. He had the best lawyers on earth, the best lawyers in the world, and unlimited amounts of money. Notwithstanding all that, he was convicted by a jury and it was sustained by the district court and upheld by the circuit court of appeals and the Supreme Court of the United States; and he went to the Federal penitentiary.

That man was trying to control thought. He started a campaign after that to control thought in the United States. He is a propaganda artist. The Germans taught us the value of propaganda in World War I, and E. A. Rumely was the minister of propaganda for the Imperial German Government in the United States preceding, at the beginning of, and during a large part of World War I, trying to deceive and mislead the American people. I defy any person, including any Member of this House, to read that record and come to any other conclusion.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. HOFFMAN of Michigan. The statement the gentleman has made he has made several times before from the well of the House. I doubt if the gentleman has made those statements outside the well of the House.

Mr. PATMAN. Why should I make them outside the well of the House?

Mr. HOFFMAN of Michigan. Because if the gentleman made them outside, the truth of them might be challenged.

Mr. PATMAN. Why are they not challenged here? Why does not the gentleman challenge them? Why does he not bring out the truth if I am not bringing it out?

Mr. HOFFMAN of Michigan. I have several times.

Mr. PATMAN. Did I not give the gentleman a proper citation to Two Hundred and Ninety-third Federal Reporter 532, 30 pages of it, 30 pages of what the court said about him, and the court said what I repeated here?

Mr. HOFFMAN of Michigan. The gentleman cited the right case. There is no question about the conviction. There is a question about what the gentleman said about being convicted of treason.

Mr. PATMAN. No, I did not say he was convicted of treason.

Mr. HOFFMAN of Michigan. Yes; you did.

Mr. PATMAN. No, I did not. I said he was convicted on testimony that shows he was guilty of treason. They accused him of and indicted him for dealing with the enemy during World War I.

Mr. HOFFMAN of Michigan. Sure; now you have it.

Mr. PATMAN. He was convicted of it, and the testimony shows that he was guilty of treason.

Mr. HOFFMAN of Michigan. After

those convictions 11 of the jurors signed a statement that on subsequently discovered evidence which was not made available at the trial he was innocent. Former Justice Cardozo of the United States Supreme Court and the Attorney General who had charge of the proceedings said he was innocent, and President Coolidge pardoned him.

Mr. PATMAN. I have heard the gentleman mention Cardozo's and the Attorney General's statements before. Will he please put them in the Record?

Mr. HOFFMAN of Michigan. I have put it in before.

Mr. PATMAN. I did not know that. I never have seen it.

Mr. HOFFMAN of Michigan. If the gentleman had read the Record, he would have seen it.

Mr. PATMAN. Eleven jurors. You can imagine with millions of dollars and all kinds of pressure which this case shows, and that Two Hundred and Ninety-third Federal shows were used in this trial and elsewhere, you can imagine how one little juror could stand up and resist that great group after the case was all over and they had been told things. Of course, they would not know whether to disbelieve them or believe them. They would say, "If that is true, I did not know that." But, of course, all available testimony was put in. It is inconceivable that the best lawyers in the world would overlook important testimony. It was not overlooked. Read the case in Two Hundred and Ninety-third Federal Reporter, 532, and see for yourself. That man Rumely is the worst Fascist in the Nation. The Committee for Constitutional Government is a Fascist organization. It is spearheading fascism in this country. I hope the gentleman reads that case again and that he will not defend a man like that.

Mr. HOFFMAN of Michigan. I am not defending him. I am trying to get a little truth in the Record.

Mr. PATMAN. If the gentleman reads that case, he will get the truth. I am glad to know he is not defending Rumely. That would be awful in the light of his record.

I made a speech about Rumley, August 29, 1950, that is in the CONGRESSIONAL RECORD of that date. It deals with his Fascist activities; his treasonable conduct; how his propaganda mill operates; why he is a fraud; his big-lie technique; sordid history of the Committee for Constitutional Government; his religious intolerance; wicked tax scheme; hate monger; convicted traitor; tried to Prussianize American youth; and his plots against the United States.

The SPEAKER. The time of the gentleman from Texas has expired.

ONE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF THE SIGNING OF THE DECLARATION OF INDEPENDENCE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that I may address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

THE ONE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF THE SIGNING OF THE DECLARATION OF INDEPENDENCE

Mr. McCORMACK. Mr. Speaker, 175 years ago at Philadelphia, the determined delegates of the 13 charter colonies stood within a single vote of the ratification of the greatest document of all time. The earnest delegates at Independence Hall anxiously awaited the arrival of Caesar Rodney, of Delaware, whose vote broke the deadlock and launched a new design for freedom and better living.

The Declaration of Independence was not easily come by. It was less a time of flushed triumph than one of sobering reflection and achievement. But, these men did recognize the deep significance of the act which they had taken upon themselves. They had gathered from the widely separated colonies—unattached and independent of one another. They were gathered with the necessity to make a beginning and they possessed the determination to see it through. Above all, they were gathered with the will to become one nation. Their very presence there was treasonous. They had nothing to fight with, but everything to fight for. But they knew why they were there.

The design for freedom and better living that was forged in Philadelphia 175 years ago became the foundation of a way of believing and doing that is today the envy and the hope of all freedom-loving people of the earth.

And in this momentous year of celebration and rededication to the birthday of independence, it is well to remember that the Declaration was not a document from a crown—not a divine gift, but a human, living document which was fought over, cursed over, prayed for—that destroyed friendship, reconciled enemies and was born at last out of the birth-pains of democratic endeavor.

That was the Declaration of Independence of 175 years ago. That is the Declaration of Independence of 1951—the same blueprint, the same design for expanding freedom and better living that today safeguards our rights to liberty and the pursuit of happiness.

What could be more fitting, then, that upon this one hundred and seventy-fifth anniversary of independence we are gathered in thousands of communities across the Nation to "proclaim liberty throughout the land" and to rededicate ourselves to the timeless fundamentals of freedom and liberty as defined in the Declaration of Independence.

The strengthening of the American heritage of free citizenship and individual rights is, again today, a vital part of our program of national defense. Citizen awareness, and individual participation in the affairs of community and government is again a personal assignment in the current world-wide struggle against the enemies of personal liberty and the freedom of nations.

For the better part of two centuries Americans have enjoyed the priceless privilege of freedom. Now, on this one hundred and seventy-fifth anniversary of independence, freedom needs each

ing much to alleviate the food needs of these stricken people. However, there remains a real vital need for clothing and related materials. To meet this need, the Department of State has turned to the American people for voluntary contributions of clothing, blankets, yard goods, yarn, needles, thread, soap, and kindred supplies.

As would be expected in a situation where more than 10,000,000 men, women, and children are homeless and destitute and where an estimated 2,000,000 civilians have been killed or died of illness due to exposure, the American people are responding with contributions of clothing for shipment to Korea. Already, 10 agencies experienced in handling foreign aid have realized the need for a central collecting organ which can coordinate the preparation and shipment of the clothing. The American Friends Service Committee; Brethren Service Commission, Church World Service; Labor League of Human Rights, A. F. of L.; Lutheran World Relief; Mennonite Central Committee; Save the Children Federation; War Relief Services, National Catholic Welfare Conference; Young Women's Christian Association, World Emergency Fund; and World Student Service Fund, all member agencies of the American Council of Voluntary Agencies for Foreign Service, Inc., have established American Relief for Korea, Inc., as an over-all national channel for the collection and transmission of clothing and kindred supplies to Korea. This organization was set up with the cooperation of the Advisory Committee on Voluntary Foreign Aid of the Department of State.

The 10 organizing agencies of American Relief for Korea (ARK) have already sent 4,000,000 pounds of clothing and supplies, valued at more than \$3,500,000, to Korea. ARK is now functioning and doing a fine job. Douglas Fairbanks is national chairman and a committee of prominent citizens heads its operation. Two warehouses and shipment points have been established, one at Maspeth, N. Y., and another at Oakland, Calif. An organization is now set up to do the job swiftly and economically.

In view of the splendid job done by our people and the 10 voluntary aid agencies which have organized ARK, it seems proper and fitting that the Congress should lend its encouragement. The joint resolution would express the sympathy of the Congress for the plight of the millions of Korean refugees, who are innocent victims of cruel and unprovoked aggression, and would recognize their desperate condition. It would also authorize the President to set aside, as soon as practicable, a period of not less than 1 month, as a special period of intensive Nation-wide effort, during the course of which the clothing collection appeal of American Relief for Korea, Inc., may receive the utmost support of all Americans.

COMMITTEE TO PARTICIPATE IN DISCUSSION WITH REPRESENTATIVES OF CONSULTATIVE ASSEMBLY OF COUNCIL OF EUROPE

Mr. GILLETTE (for himself and Mr. SMITH of New Jersey) submitted the following concurrent resolution (S. Con. Res. 36), which was referred to the Committee on Foreign Relations:

Whereas the Consultative Assembly of the Council of Europe adopted on May 12, 1951, a resolution reading as follows:

"The Assembly;

"Considering that the free peoples of Europe and of the United States have many vital problems in common;

"Considering that the solidarity between them arises not only from the common dangers they have to face, but is also the reflection of their common origin, and of their community of thought and civilization;

"Taking note that the Committee of Ministers in their message to the Assembly has declared that it would welcome any initiative of the Assembly designed to establish links with the Congress of the United States;

"Believing that it would be of the greatest interest for public opinion in the democracies if these problems of common interest were to be discussed by delegations from the two Houses of Congress of the United States and from the Consultative Assembly;

"Instructs its Bureau—

"To approach the Congress of the United States through the Speakers of both Houses for the purpose of arranging such a discussion to take place in public, preferably in Strasbourg, or, if for any reason circumstances make it desirable, in Washington, at a date mutually convenient, and in accordance with an agenda drawn up in advance by agreement between the officers of the Congress of the United States and the Bureau of the Consultative Assembly"; and

Whereas the Congress of the United States has formally declared it "to be the policy of the people of the United States to encourage the further unification of Europe"; and

Whereas it is in the interest of the United States to encourage consultation between the Congress of the United States and the Consultative Assembly of the Council of Europe; and

Whereas the Congress of the United States welcomes this invitation and expresses its appreciation of the unanimous action of the Consultative Assembly in extending it: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That not to exceed 14 Members of Congress shall be appointed to meet jointly with the representatives appointed by the Consultative Assembly of the Council of Europe for public discussion of problems of common interest, as envisioned by the Resolution of the Consultative Assembly of May 12, 1951. Of the members of the Congress to be appointed for the purposes of this resolution, half shall be appointed by the Speaker of the House from Members of the House, and half shall be appointed by the President of the Senate from Members of the Senate. Not more than four of the appointees from the respective Houses shall be of the same political party.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. IVES:

Address delivered by Senator BREWSTER on the occasion of the Baltic States rally in Carnegie Hall, New York City, June 16, 1951.

By Mrs. SMITH of Maine:

Statement by her on the hope of the American people for peace, broadcast on the news program of Mr. Frank Edwards, June 27, 1951.

By Mr. MAGNUSON:

Letter addressed by him to Senator McCARRAN, chairman, subcommittee of Committee on Appropriations on State Department appropriations, dated June 26, 1951, relating to travel by State Department employees on foreign-flag vessels.

An article entitled "Government Policy in the Ship Sales Market—A Review of the Ship Disposal Program and Subsequent Price Trends," published in the Shipping Survey for June 1951.

By Mr. DIRKSEN:

Editorial discussing casualties in the war in Korea, written by John S. Knight and published in the Chicago Daily News of June 16, 1951.

By Mr. JOHNSON of Colorado:

Editorial entitled "The World's Greatest Need—Putting First Things First," written by Fred Burdick, and published in the Washington Gist, which will appear hereafter in the Appendix.

By Mr. FULBRIGHT:

Article entitled "One Voice That Stalin Hates," dealing with the Voice of America, published in the May 1951 issue of the Kiplinger magazine.

By Mr. HENNINGS:

Editorial entitled "The Critical Week," published in the St. Louis Post-Dispatch of June 25, 1951, relating to price controls.

Editorial published in the St. Louis Post-Dispatch of June 26, 1951, dealing with President Truman's speech on foreign policy delivered in Tennessee.

Article relating to rolling back prices and curbing installment credit, written by J. A. Livingston, and published in the Washington Post of June 28, 1951.

By Mr. WILEY:

Platform adopted by the Wisconsin Federation of Young Republican Clubs at its convention on May 6, 1951.

By Mr. O'CONOR:

Statement prepared by him regarding the announcement of the resignation of George J. Schoeneman as Commissioner of Internal Revenue.

LABOR DISPUTE WITH UNITED AIRLINES

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, at this point in my remarks, a letter which I sent yesterday to the President of the United States, in which I was joined by my junior colleague from California [Mr. NIXON], dealing with the United Airlines strike.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 28, 1951.

The Honorable HARRY S. TRUMAN,
President of the United States,
Washington, D. C.

MY DEAR MR. PRESIDENT: At the present time there is a labor dispute which is disrupting the service which the United Airlines has been providing the country. The dispute, in many ways, parallels the recent dispute between the American Airlines, Inc., and certain of its employees.

The present dispute is disrupting passenger service on the west coast and, I understand, is beginning to create difficulties in the movement of air mail. These difficulties, of course, will increase in direct proportion to the length of time the dispute continues.

In view of the disruption which this dispute is causing the normal business operations of the State of California, it seems reasonable to assume that in a very short time, it will affect the industrial mobilization program on which California is engaged.

May we suggest that section 10 of the Railway Labor Act be invoked and an emergency board be created immediately for the purpose of investigating and submitting a report on the issues involved in this dispute. It is believed that through the submission of such a report, reasonable grounds can be found for the settlement of the controversy between the United Airlines and its employees.

With best personal regards, we remain

Sincerely yours,

WILLIAM F. KNOWLAND.
RICHARD M. NIXON.

SUPPLYING AGRICULTURAL WORKERS FROM MEXICO

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 984) to amend the Agricultural Act of

1949, which was to strike out all after the enacting clause and insert:

That the Agricultural Act of 1949 is amended by adding at the end thereof a new title to read as follows:

"TITLE V—AGRICULTURAL WORKERS

"SEC. 501. For the purpose of assisting in such production of agricultural commodities and products as the Secretary of Agriculture deems necessary, by supplying agricultural workers from the Republic of Mexico (pursuant to arrangements between the United States and the Republic of Mexico), the Secretary of Labor is authorized—

"(1) to recruit such workers (including any such workers temporarily in the United States);

"(2) to establish and operate reception centers at or near the places of actual entry of such workers into the continental United States for the purpose of receiving and housing such workers while arrangements are being made for their employment in, or departure from, the continental United States;

"(3) to provide transportation for such workers from recruitment centers outside the continental United States to such reception centers and transportation from such reception centers to such recruitment centers after termination of employment;

"(4) to provide such workers with such subsistence, emergency medical care, and burial expenses (not exceeding \$150 burial expenses in any one case) as may be or become necessary during transportation authorized by paragraph (3) and while such workers are at reception centers;

"(5) to assist such workers and employers in negotiating contracts for agricultural employment (such workers being free to accept or decline agricultural employment with any eligible employer and to choose the type of agricultural employment they desire, and eligible employers being free to offer agricultural employment to any workers of their choice not under contract to other employers);

"(6) to guarantee the performance by employers of provisions of such contracts relating to the payment of wages or the furnishing of transportation.

"SEC. 502. No workers shall be made available under this title to any employer unless such employer enters into an agreement with the United States—

"(1) to indemnify the United States against loss by reason of its guaranty of such employer's contracts;

"(2) to reimburse the United States for essential expenses, not including salaries or expenses of regular department or agency personnel, incurred by it for the transportation and subsistence of workers under this title in such amounts, not to exceed \$10 per worker; and

"(3) to pay to the United States, in any case in which a worker is not returned to the reception center in accordance with the contract entered into under section 501 (5), an amount determined by the Secretary of Labor to be equivalent to the normal cost to the employer of returning other workers from the place of employment to such reception center, less any portion thereof required to be paid by other employers.

"SEC. 503. No workers recruited under this title shall be available for employment in any area unless the Regional Director, Bureau of Employment Security, United States Department of Labor, for such area has determined and certified that (1) sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed, and (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed.

"SEC. 504. Workers recruited under this title who are not citizens of the United States shall be admitted to the United States subject to the immigration laws (or if already in, and otherwise eligible for admission to, the United States, may, pursuant to arrangements between the United States and the Republic of Mexico, be permitted to remain therein) for such time and under such conditions as may be specified by the Attorney General but, notwithstanding any other provision of law or regulation, no penalty bond shall be required which imposes liability upon any person for the failure of any such worker to depart from the United States upon termination of employment.

"SEC. 505. (a) Section 210 (a) (1) of the Social Security Act, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended."

"(b) Section 1426 (b) (1) of the Internal Revenue Code, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended."

"(c) Workers recruited under the provisions of this title shall not be subject to the head tax levied under section 2 of the Immigration Act of 1917 (8 U. S. C., sec. 132).

"SEC. 506. For the purposes of this title, the Secretary of Labor is authorized—

"(1) to enter into agreements with Federal and State agencies; to utilize (pursuant to such agreements) the facilities and services of such agencies; and to allocate or transfer funds or otherwise to pay or reimburse such agencies for expenses in connection therewith;

"(2) to accept and utilize voluntary and uncompensated services; and

"(3) when necessary to supplement the domestic agricultural labor force, to cooperate with the Secretary of State in negotiating and carrying out agreements or arrangements relating to the employment in the United States, subject to the immigration laws, of agricultural workers from the Republic of Mexico.

"SEC. 507. For the purposes of this title—

"(1) The term 'agricultural employment' includes services or activities included within the provisions of section 3 (f) of the Fair Labor Standards Act of 1938, as amended, or section 1426 (h) of the Internal Revenue Code, as amended, horticultural employment, cotton ginning, compressing and storing, crushing of oil seeds, and the packing, canning, freezing, drying, or other processing of perishable or seasonable agricultural products.

"(2) The term 'employer' includes associations or other groups of employers.

"SEC. 508. Nothing in this act shall be construed as limiting the authority of the Attorney General, pursuant to the general immigration laws, to permit the importation of aliens of any nationality for agricultural employment as defined in section 507, or to permit any such alien who entered the United States legally to remain for the purpose of engaging in such agricultural employment under such conditions and for such time as he, the Attorney General, shall specify.

"SEC. 509. No workers shall be made available under this title for employment after December 31, 1953."

Mr. ELLENDER. Mr. President, I move that the Senate disagree to the amendment of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. ELLENDER, Mr. HOEY, Mr. JOHNSTON of South Carolina, Mr. AIKEN, and Mr. YOUNG conferees on the part of the Senate.

Mr. ELLENDER subsequently said: Mr. President, earlier today the distinguished junior Senator from South Carolina [Mr. JOHNSTON] was appointed a conferee on Senate bill 984. I am informed that he is out of town and will not return until Monday. It is necessary that the conferees act tomorrow or the next day. I therefore ask unanimous consent that the distinguished Senator from South Carolina be discharged from further service as a conferee and that in his place there be appointed the distinguished senior Senator from Florida [Mr. HOLLAND].

The PRESIDENT pro tempore. Without objection, the substitution will be made.

PATENTS IN FEE TO CERTAIN ALLOTTEES ON CROW INDIAN RESERVATION—REENROLLMENT OF BILL

The PRESIDENT pro tempore laid before the Senate House Concurrent Resolution 134, which was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the United States is hereby requested to return to the House of Representatives the enrolled bill (H. R. 2349) authorizing the Secretary of the Interior to issue patents in fee to certain allottees on the Crow Indian Reservation; that if and when such bill is returned by the President, the action of the Speaker of the House of Representatives and of the President of the Senate in signing such bill is hereby rescinded; and that the Clerk of the House of Representatives is hereby authorized and directed, in the reenrollment of such bill, to strike out in the paragraph thereof which relates to the issuance of a patent in fee to Estella Wolfe the phrase which reads "the northwest quarter of the southeast quarter," and to insert in lieu thereof "and the northwest quarter of the southeast quarter of section 28."

Mr. O'MAHONEY. Mr. President, I wish to announce that this concurrent resolution requests the return from the White House of a bill granting a patent in fee to certain Indians, in order to correct a land description in the bill; the section number was left out.

The only effect of the concurrent resolution is to authorize the return of the bill and its correction by inserting the words "section 28."

I move that the Senate agree to the concurrent resolution.

The motion was agreed to.

GENERAL MACARTHUR AND AMERICAN POLICY IN FAR EAST—JOINT STATEMENT BY COMMITTEES ON ARMED SERVICES AND FOREIGN RELATIONS TO AMERICAN PEOPLE (S. DOC. NO. 50)

Mr. RUSSELL. Mr. President, at a meeting of the Committees on Armed Services and Foreign Relations on yesterday, the committees unanimously approved the issuance of a statement to the American people. This statement is not to be interpreted as a report of the committees on any aspect of the issues of the MacArthur hearings.

The statement is intended to reassure our own people and the other peo-

House of Representatives

Chamber Action

Bills Introduced: Seven public bills, H. R. 4661-4667; seven private bills and one private joint resolution, H. R. 4668-4674, and H. J. Res. 280; and eleven resolutions, H. J. Res. 279, and H. Res. 296-305, were introduced.

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Bills Reported: Reports were made as follows:

H. R. 3804, to limit the retroactive application of the income tax on Federal employees working in the possessions or in the Canal Zone (H. Rept. 664); and

H. R. 2562, to amend the Internal Revenue Code to adjust an inequity (H. Rept. 665).

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Temporary Defense Production Extension: By a voice vote, the House adopted H. J. Res. 278, to continue through July 31, 1951, the Defense Production Act of 1950; the Housing and Rent Act of 1947, as amended; and certain import control authority. A recommittal motion was rejected by a division vote of 27 to 250.

Adopted an amendment to prevent roll-backs or the lowering of price ceilings below those on enactment date of this resolution and prohibiting any new price ceilings on materials or services during the period of this temporary extension. This amendment was, by unanimous consent, altered to authorize the placing of price ceilings on agricultural commodities if they exceeded their parity price during this temporary period. This amendment was adopted in the Committee of the Whole on a teller vote of 165 to 106 and later was approved by the House on a separate vote by 232 yeas to 159 nays.

H. Res. 294, the closed rule providing for 1 hour of debate on, and the waiving of points of order against H. J. Res. 278, the continuing resolution, was adopted by a vote of 296 yeas to 85 nays. The rule also provided for the offering of the above amendment.

Pages 7660-7663, 7665-7678

D. C. Rent Control: Adopted, on a roll-call vote of 242 yeas to 126 nays, the conference report on S. 1590, extending the District of Columbia Emergency Rent Act. This compromise measure, among other things, extends rent controls for 1 year, makes the effective date of the new base June 30, 1951, raises the salary of the Rent Administrator to \$11,200 per annum.

Pages 7679-7684

Independence Day: Representative Lind was today designated by the Speaker to read the Declaration of Independence in the House on July 4.

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President's Message: Received a message from the President complying with request of Congress for the return of H. R. 2349, a private bill, for correction.

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Program for Saturday: Adjourned at 4:22 p. m. until Saturday, June 30, at 12 o'clock noon.

Committee Meetings

SUGAR ACT EXTENSION

Committee on Agriculture: Resumed its hearings on H. R. 4521, to extend the Sugar Act of 1948, from December 31, 1952, to December 31, 1956. The bill would also increase Puerto Rico's quota for marketing on the mainland from 910,000 tons to 1,080,000 tons; increase from 6,000 to 12,000 tons the quotas for the Virgin Islands; and increase the participation of the full-duty countries supplying our market; besides containing a few amendments affecting quota administration. Speaking in support of the proposed sugar program today was Frank Kemp, of Denver, Colo., president and general manager of the Great Western Sugar Co., and executive committee chairman of the American Sugar Beet Policy Committee. He stated that his views represented a cross section of the entire domestic sugar industry. Committee recessed upon call of the Chair, until after the Fourth of July.

MILITARY PUBLIC WORKS

Committee on Armed Services: Held day-long executive consideration of H. R. 4524, to authorize certain construction at military and naval installations. Attending the discussions with the committee today were Karl R. Bendetsen, Assistant Secretary of the Army; and the following officials of the U. S. Army: Francis Shackelford, counselor; Brig. Gen. W. L. Barriger, Office of Assistant Chief of Staff, G-4; Gen. G. J. Nold, Deputy Chief of Staff, Engineers; Col. W. A. Davis, Chief of Construction Branch, G-4; Col. John Murphy, G-4, Second Army (morning session); and Col. W. A. Carter, G-4, Third Army (afternoon session). Recessed until tomorrow morning.

MILITARY PROCUREMENT

Committee on Armed Services: Hébert Subcommittee on Procurement held executive meeting at which Representative Ford, of Michigan, presented additional information concerning Army procurement of folding chairs from the Consolidated Industries, Inc., of Memphis, Tenn. Mr. Ford, in a speech on May 22, brought to the attention of the House membership the details of procurement contracts between the Chicago Quartermaster Depot and the Consolidated Industries, Inc. At that time he furnished a comprehensive review of the Consolidated Industries case and pointed out that the officials of the Chicago QM depot applied many uneconomical and inefficient procurement methods and procedures. Subcommittee adjourned subject to call of the Chair.

CONSUMERS' PRICE INDEX

Committee on Education and Labor: Steed subcommittee concluded hearings in connection with its investigation of the Consumers' Price Index as prepared by the U. S. Department of Labor, and had as its final witness Ewan Clague, Commissioner of the Bureau of Labor Statistics, Department of Labor.

MUTUAL SECURITY

Committee on Foreign Affairs: Gen. George C. Marshall, Secretary of Defense, testified today in support of the proposed mutual security program and will return on Monday morning for further testimony and questioning by the committee. The total amount requested in this program is \$8.5 billion, of which \$6.3 billion will be for military aid and \$2.2 billion will be for economic aid.

MINING CLAIMS

Committee on Interior and Insular Affairs: Considered, but took no final action on, S. 1726, extending the time during which annual assessment work on mining claims may be made for the year beginning July 1, 1950, to November 1, 1951.

INDIANS

Committee on Interior and Insular Affairs: Morris Subcommittee on Indian Affairs resumed consideration of H. R. 3979, to define the enrolled Indians of California as an identifiable group of American Indians, and heard supporting testimony on the measure from S. M. Goodwin, an attorney, representing the Indians. Also considered, but took no action on, H. R. 4635, amending the act of 1949 regarding vesture of title to certain lands of the Three Affiliated Tribes of the Fort Berthold Reservation, N. Dak., in the United States and to provide compensation therefor. A delegation of Fort Berthold Indians were heard in favor of adding certain supplemental provisions to the act. They were Martin Cross, Carl Whitman, Jr., Sam Matthews, Allen Horn, Ralph Wells, and George Gillette. Adjourned until Monday morning.

RAILROAD RETIREMENT

Committee on Interstate and Foreign Commerce: Con-

tinued executive consideration of bills to amend the Railroad Retirement Act, and adjourned until July 9, when it will continue on same subject.

MOBILIZATION, MONOPOLY

Committee on the Judiciary: Celler Subcommittee on the Study of Monopoly Power held further hearing regarding various aspects of the mobilization program and heard further testimony from Byron Woodside, Director, Defense Expansion Division, DPA, who testified yesterday.

PROPERTY AND ALCOHOL TAXES

Committee on Ways and Means: Met for executive consideration of H. R. 3590, relating to the income-tax treatment of gain realized on an involuntary conversion of property, and H. R. 4014, relating to the applicability of alcohol tax laws. Made no announcement, and adjourned subject to call of the Chair.

Joint Committee Meetings

FARM LABOR

Conferees, in executive session, on S. 984, to authorize the Government to carry out its part of agreement reached with Mexico with respect to importation of foreign agricultural labor, agreed to file a report on the differences between the House- and Senate-passed versions of the bill. As approved, the Senate conferees receded and concurred in House amendment (which was in nature of substitute for the Senate-passed bill), with further amendment making the following major changes: (1) Secretary of Agriculture was designated as official to make certification that Mexican workers are needed; (2) maximum reimbursement to Government for transportation and subsistence of workers was placed at \$15; (3) cotton ginning, compressing, and storing, and canning, freezing, and other processing of perishable commodities were included among occupations for which Mexican workers could be employed; and (4) Senate provisions making employment of Mexican workers illegally in country a felony was stricken from the bill.

BILLS SIGNED BY THE PRESIDENT

New Laws

(For last listing of Public Laws, see Digest, p. D568)

H. R. 157, to authorize, until June 30, 1952, Canadian vessels to carry passengers between various ports in Alaska directly or via a foreign port. Signed June 27, 1951 (P. L. 55).

H. R. 389, for the relief of the State of Maryland. Signed June 27, 1951 (P. L. 56).

H. R. 4338, extending the time for completing construction of a toll bridge across the Delaware River near Wilmington, Del. Signed June 27, 1951 (P. L. 57).

H. R. 2084, making certain revisions in the estate and gift tax provisions with respect to powers of appointment. Signed June 28, 1951 (P. L. 58).

H. R. 3033, authorizes the lease of certain land to Poplar, Mont., for airport purposes. Signed June 28, 1951 (P. L. 59).

H. R. 3576, to amend the Displaced Persons Act of 1948. Signed June 28, 1951 (P. L. 60).

IMPORTATION OF FOREIGN AGRICULTURAL WORKERS

JUNE 30, 1951.—Ordered to be printed

Mr. COOLEY, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany S. 984]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 984) to amend the Agricultural Act of 1949, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following: *That the Agricultural Act of 1949 is amended by adding at the end thereof a new title to read as follows:*

"TITLE V—AGRICULTURAL WORKERS

"SEC. 501. For the purpose of assisting in such production of agricultural commodities and products as the Secretary of Agriculture deems necessary, by supplying agricultural workers from the Republic of Mexico (pursuant to arrangements between the United States and the Republic of Mexico), the Secretary of Labor is authorized—

"(1) to recruit such workers (including any such workers who have resided in the United States for the preceding five years, or who are temporarily in the United States under legal entry);

"(2) to establish and operate reception centers at or near the places of actual entry of such workers into the continental United States for the purpose of receiving and housing such workers while arrangements are being made for their employment in, or departure from, the continental United States;

"(3) to provide transportation for such workers from recruitment centers outside the continental United States to such reception centers and transportation from such reception centers to such recruitment centers after termination of employment;

"(4) to provide such workers with such subsistence, emergency medical care, and burial expenses (not exceeding \$150 burial expenses in any one case) as may be or become necessary during transportation authorized by paragraph (3) and while such workers are at reception centers;

"(5) to assist such workers and employers in negotiating contracts for agricultural employment (such workers being free to accept or decline agricultural employment with any eligible employer and to choose the type of agricultural employment they desire, and eligible employers being free to offer agricultural employment to any workers of their choice not under contract to other employers);

"(6) to guarantee the performance by employers of provisions of such contracts relating to the payment of wages or the furnishing of transportation.

"SEC. 502. No workers shall be made available under this title to any employer unless such employer enters into an agreement with the United States—

"(1) to indemnify the United States against loss by reason of its guaranty of such employer's contracts;

"(2) to reimburse the United States for essential expenses, not including salaries or expenses of regular department or agency personnel, incurred by it for the transportation and subsistence of workers under this title in amounts not to exceed \$15 per worker; and

"(3) to pay to the United States, in any case in which a worker is not returned to the reception center in accordance with the contract entered into under section 501 (5), an amount determined by the Secretary of Labor to be equivalent to the normal cost to the employer of returning other workers from the place of employment to such reception center, less any portion thereof required to be paid by other employers.

"SEC. 503. No workers recruited under this title shall be available for employment in any area unless the Secretary of Labor has determined and certified that (1) sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed, (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed, and (3) reasonable efforts have been made to attract domestic workers for such employment at wages and standard hours of work comparable to those offered to foreign workers.

"SEC. 504. Workers recruited under this title who are not citizens of the United States shall be admitted to the United States subject to the immigration laws (or if already in, for not less than the preceding five years or by virtue of legal entry, and otherwise eligible for admission to, the United States may, pursuant to arrangements between the United States and the Republic of Mexico, be permitted to remain therein) for such time and under such conditions as may be specified by the Attorney General but, notwithstanding any other provision of law or regulation, no penalty bond shall be required which imposes liability upon any person for the failure of any such worker to depart from the United States upon termination of employment: Provided, That no workers shall be made available under this title to, nor shall any workers made available under this title be permitted to remain in the employ of, any employer who has in his employ any Mexican alien when such employer knows or has

reasonable grounds to believe or suspect or by reasonable inquiry could have ascertained that such Mexican alien is not lawfully within the United States.

"SEC. 505. (a) Section 210 (a) (1) of the Social Security Act, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended."

"(b) Section 1426 (b) (1) of the Internal Revenue Code, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended."

"(c) Workers recruited under the provisions of this title shall not be subject to the head tax levied under section 2 of the Immigration Act of 1917 (8 U. S. C., sec. 132).

"SEC. 506. For the purposes of this title, the Secretary of Labor is authorized—

"(1) to enter into agreements with Federal and State agencies; to utilize (pursuant to such agreements) the facilities and services of such agencies; and to allocate or transfer funds or otherwise to pay or reimburse such agencies for expenses in connection therewith;

"(2) to accept and utilize voluntary and uncompensated services; and

"(3) when necessary to supplement the domestic agricultural labor force, to cooperate with the Secretary of State in negotiating and carrying out agreements or arrangements relating to the employment in the United States, subject to the immigration laws, of agricultural workers from the Republic of Mexico.

"SEC. 507. For the purposes of this title—

"(1) The term 'agricultural employment' includes services or activities included within the provisions of section 3 (f) of the Fair Labor Standards Act of 1938, as amended, or section 1426 (h) of the Internal Revenue Code, as amended, horticultural employment, cotton ginning, compressing and storing, crushing of oil seeds, and the packing, canning, freezing, drying, or other processing of perishable or seasonable agricultural products.

"(2) The term 'employer' shall include an association, or other group, of employers, but only if (A) those of its members for whom workers are being obtained are bound, in the event of its default, to carry out the obligations undertaken by it pursuant to section 502, or (B) the Secretary determines that such individual liability is not necessary to assure performance of such obligations.

"SEC. 508. Nothing in this Act shall be construed as limiting the authority of the Attorney General, pursuant to the general immigration laws, to permit the importation of aliens of any nationality for agricultural employment as defined in section 507, or to permit any such alien who entered the United States legally to remain for the purpose of engaging in such agricultural employment under such conditions and for such time as he, the Attorney General, shall specify.

"SEC. 509. No workers will be made available under this title for employment after December 31, 1953."

And the House agree to the same.

HAROLD D. COOLEY,
W. R. POAGE,
GEORGE GRANT,
CLIFFORD R. HOPE,
AUG. H. ANDRESEN,

Managers on the Part of the House.

ALLEN J. ELLENDER,
CLYDE R. HOEY,
SPESSARD L. HOLLAND,
GEORGE D. AIKEN,
MILTON R. YOUNG,

Managers on the Part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 984) to amend the Agricultural Act of 1949, submit the following statement in explanation of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment to the bill struck out all after the enacting clause and inserted in lieu thereof the text of the House bill (H. R. 3283), which had been adopted by the House as reported by the Committee on Agriculture.

The bill as agreed upon by the committee of conference and recommended in the accompanying report is a substitute in lieu of the amendment made by the House to the Senate bill. In the main it adopts most of the provisions of the Senate bill with the exception of section 509, which has been eliminated from the substitute agreed upon by the committee of conference.

GENERAL STATEMENT

The purpose of this bill is to authorize and implement an agreement with Mexico under which Mexican agricultural workers may be available when needed, and when such workers are not available from the domestic labor force, to assist in growing, harvesting, and preparing for consumption crops grown in the United States. It is a bill which is of great interest and benefit to the consumer, as well as to the farmer engaged in the production of these crops, for with the exception of cotton and sugar beets almost all of the crops on which it is expected such labor may be needed are crops such as fruits and vegetables which move directly to the consumer. If there is insufficient labor to tend or harvest these crops, causing even a temporary shortage or disruption of their movement to market, this is a situation which is certain to be felt immediately by consumers in the form of diminished supplies of such fruits and vegetables and higher prices for those which are on the market. It is essential to the stabilization of our economy that these agricultural commodities be brought to market in sufficient volume to maintain stability of supplies and prices.

Differences between the House bill and the bill agreed upon by the committee of conference and recommended in the accompanying report are explained below:

SECTION 501

The only change in this section is in subsection (1) where the committee of conference has adopted the Senate language requiring that workers eligible for employment under this bill shall be in the United States under legal entry and has added a provision which will permit

also the hiring of any Mexican national who has resided in the United States for the previous 5 years. This will prevent the hiring of so-called "wetbacks" under the contracts authorized by this bill but will permit those Mexicans who actually have lived for many years in the United States, even though their entry might not have conformed to legal requirements, to obtain agricultural work. The committee of conference believes that this provision is necessary in essential justice to the many Mexicans who, because of the closeness of Mexico and the United States and the traditional freedom of movement across the border, may have entered the United States without complying with immigration formalities, but who have been for many years continuous and useful residents in the United States. It should be remembered that even though such Mexicans may meet the requirements of this provision and be acceptable to their American employers, they still cannot be contracted without the consent of the Mexican Government.

SECTION 502

In subsection (2) the amount "\$10" is changed to "\$15".

SECTION 503

Two changes are made in this section:

(1) The committee of conference has accepted the Senate requirement that the determination as to the availability of domestic workers for agricultural purposes shall be made by the Secretary of Labor, instead of by the regional director, Bureau of Employment Security, United States Department of Labor, for the area involved, as provided in the House bill. This appears to the committee of conference to be a relatively minor change, since the regional director works under and by delegation of authority from the Secretary of Labor and it is assumed by the committee of conference that, inasmuch as time is frequently of the essence in the hiring of agricultural labor and harvesting of agricultural crops, the Secretary of Labor will delegate to the regional director the authority to make these determinations where the time element is important and where reference to the Secretary himself would entail any measurable delay.

(2) The committee of conference also accepted the provision of the Senate bill requiring that the Secretary of Labor must certify before foreign labor may be utilized under the terms of this bill that reasonable efforts have been made to attract domestic workers for such employment at wages and standard hours of work comparable to those offered to foreign workers.

SECTION 504

Two changes are made by the committee of conference in this section:

(1) On page 4, line 12 of the House bill after the word "in" the words "for not less than the preceding 5 years or" have been added. This is the same change made in section 501 (1) and was discussed under the amendments to that section.

(2) The conference has accepted the proviso to this section contained in the Senate bill which provides that no workers shall be made

available under the terms of this bill nor permitted to remain in the employ of any employer who is using "wetback" labor.

SECTION 508

In this section the committee of conference has accepted the House language of subsection (1). This permits the employment of workers made available under the bill in various types of processing plants which are intimately related to and connected with the production of agricultural commodities and which perform functions which must be carried out before those commodities can be made available for use or consumption. Virtually all of these processing plants are located actually out in the country or in small cities and towns which are entirely rural in character. They are affected by the same labor conditions which apply to the farms, orchards, and other agricultural operations in the area. In those few instances where processing plants of this type are located in larger cities—where there might be presumed to be some supply of domestic labor available—they will be necessarily removed from agricultural areas and environments to such an extent that the required certification by the Secretary of Labor that domestic labor is not available will in most instances amount to a certification for each individual plant.

In subsection (2) of section 508 the committee of conference has adopted the Senate language which requires that associations who act as employers under the terms of this bill shall be acceptable for that purpose only if the individual members thereof are bound by the obligations made by the association or if the Secretary determines that such individual liability is not necessary.

DOUGLAS AMENDMENT

The committee of conference has eliminated from the bill section 509 of the Senate bill. It has done this on the grounds that this general revision of the immigration laws is not germane to the purpose of this bill, which is that of providing statutory authority for the use of Mexican workers under a contractual relationship between the United States and Mexico and with the workers themselves. The committee of conference is sympathetic to the objectives of eliminating the abuses which have stemmed from the employment of "wetback" labor. It believes that the bill reported herewith will go far in correcting that situation and that any general revision of the immigration laws which may be necessary to further improve this situation should be made by the committees of the respective Houses having a jurisdiction over that subject matter. The committee recognizes as a matter of general knowledge that such legislation is now pending in the Senate and that the appropriate committee of the House has undertaken hearings and investigations for the purpose of bringing out such legislation in the House if it is found to be necessary.

The committee believes that this bill will, in fact, do much to help solve this vexing problem. It will provide an open door through which those Mexicans who want to work in the United States can enter and be employed here legally under terms which will safeguard their rights and their interests in the manner far better than they could

ever be safeguarded under any form of illegal entry and employment. It forbids any employer who has "wetback" labor in his employment from obtaining assistance under the terms of this legislation. It thus makes it distinctively to the advantage of both the employer and the Mexican worker to operate on an entirely legal basis under the provisions of this bill.

HAROLD D. COOLEY,
W. R. POAGE,
GEORGE GRANT,
CLIFFORD R. HOPE,
AUG. H. ANDRESEN,

Managers on the Part of the House.



If that were the case, there would be no reason, as a matter of fairness, why the Senator from Connecticut should not be able to defend himself by, in turn, criticizing General Groves. What is fair for one would seem to be fair for the other.

Mr. HICKENLOOPER. Mr. President, I am in no way going into that field. I never saw a statement which General Groves ever made about the Senator from Connecticut. I never read a statement of that character if he made one. I do not know that he participated in the political campaign. I had business of my own to which I was attending at that time, in the Middle West, so I simply do not know; and I had no connection whatever with it. I care not what kind of rumpus may have occurred in the election situation, if there was any rumpus. I still think, if it occurred, that political turmoil in partisan politics should have nothing whatever to do with the recitation of historical facts. I may say for Gen. Leslie Groves that no one has ever been able to stand in either a public or a private forum and successfully impugn the high degree of his integrity or his great ability. The record is his historical justification for the great job he did, and the Congress of the United States, without a dissenting vote in the Armed Services Committee of the Senate, and without a dissenting vote in the Armed Services Committee of the House of Representatives, and without a dissenting vote on the floor of the Senate, and without a dissenting vote on the floor of the House of Representatives, so far as I know, in appreciation and recognition of the magnificent and unusual job which Leslie Groves did in the time of our greatest travail and emergency, created him a lieutenant general, upon retirement from the Army of the United States—a rather unique and, I think, a rather fine tribute to the service which this man rendered to his country.

Mr. President, let me say this in all fairness, because it is my opinion. I think Leslie Groves stepped on some toes and probably some pretty sore corns while he was pushing through, with utmost speed, this great new experiment energy. He is not a physicist. Of course, he cannot go into the laboratory to make an atomic bomb; and very few physicists can. But he was the administrator and coordinator who brought the loose ends together. He cut Government red tape. He was given a mission, which was to produce a bomb as early as possible, and he said, "We will have it by mid 1945." He drove the Manhattan Project mercilessly, in the jaws of war. He drove it to create this new bomb, which, at the outset, it was thought would be needed to end the war. It was not necessarily needed when it came to the end of the war, but the purpose was to get it before the enemy got it; and he stepped on some toes, I think. He created some animosities perhaps within his own service, and certainly he created some animosities in the leisurely climate which is characteristic of scientific investigation in peacetime. He made the scientists work, and he saw

that they worked, and he saw that the project was coordinated and developed.

Mr. President, I may say that I have no special friendship, no social association with General Groves. I probably have seen him less than a great number of other Senators, and every time I have seen him it has been strictly in connection with atomic business, the historical background, or some suggestion as to the operation of atomic energy—

Mr. WELKER. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. But I want to say that I have the highest admiration for him as a great soldier, and one of the greatest soldier administrators produced by the United States, a man whose place in history will survive the very evident coalition of attempted defamation which, in various parts of the country, has from time to time arisen to take the luster of public accomplishment off the shield of his honor. I believe that that luster is ineffaceable, and I believe that Leslie Groves will continue to be recognized as a great American, a great patriot, and a man of outstanding ability in the public service. I believe that Leslie Groves will continue to be recognized as a great American, a great patriot, and a man of outstanding ability in public service.

I yield to the Senator from Idaho.

Mr. WELKER. I am indebted to the distinguished Senator from Iowa for his fine tribute to this great soldier. I met General Groves only once. It was a personal meeting, which lasted approximately 5 or 10 minutes. I should like to say that the Senator from Iowa has rendered a great service to General Groves and to all the military men of the Nation. Yesterday I heard the character of Leslie Groves, impliedly and expressly, maligned and slandered, comparing him to Alger Hiss and William Remington. I suffered when I heard it. I am grateful to the Senator because he has told us about the unanimous vote by which the rank of lieutenant general was conferred upon General Groves. Never shall I vote for a generalship or any other rank for Alger Hiss or William Remington who, at times, seem to be commended by people in high places in this Government.

Mr. HICKENLOOPER. The Senator from Idaho is vigorous, and he has a method of expressing his thoughts which certainly is salutary and which should be taken to heart by every patriotic American citizen. I will say to the Senator that I would have spoken about this matter yesterday. I am very sorry the Senator from Connecticut [Mr. McMAHON] is not present at this time. I did not know he was going to be absent. The minority leader came to me as the Senator from Connecticut was closing his remarks and inquired whether I expected to discuss the question. I said, "Yes; I think it has got to be discussed. There is a misunderstanding as to the facts, and it must be discussed."

He said, "Will you wait until we conclude the consideration of the conference report? I do not know how long you will speak if you get the floor on this matter."

I said, "I shall be delighted to delay my statement. It is a matter which can be taken up at any time. The conference report and the resolution are important."

So I did not discuss the question at that time. I meant to bow out so that the conference reports and resolutions could be considered. I was outside in the hall, expecting to discuss the matter last night, when the bells for the recess rang. I rushed to the floor but it was too late. So I have taken the first opportunity today to discuss the question.

The Senator from Louisiana, who was here a moment ago, asked me a question which I do not think I have yet answered. I think this might as well be said now as at any other time. The Senator from Louisiana asked me whether secrets had been stolen or purloined since the Manhattan District went out of existence. I shall only say that there have been a disquieting number of disappearances still unaccounted for in atomic energy plants. I shall not say whether they have been channeled directly to an enemy, but I say that there have been mysterious disappearances still unaccounted for. I cannot go further in my answer at this moment.

Mr. President, I did not intend to take so much time of the Senate. I feel that in war, in emergency, and in the tensions of seeking victory many things are done which, looking back, might well have been done in some other way. I have been the first to admit that there was waste in the Manhattan District operations. I have been one of the first to admit that there is waste in the Atomic Energy Commission operations. The Manhattan district, however, had a record of spending less than \$2,000,000,000. It started from almost a pioneering theory. There had been some laboratory work done on a minor scale. It spent less than \$2,000,000,000, and within a little more than 2 years' time it produced the first successful atomic bombs, after learning how to produce fissionable material in four different ways. Since that time we have been spending—depending on whose pencil we use and what kind of bookkeeping we employ, whether it is double-entry, triple-entry, quadruple-entry, or single-entry bookkeeping—we have been spending many billion dollars a year. Any agency that starts from scratch, with an expenditure of less than \$2,000,000,000, proves the atomic fission process, and lays out the whole field of atomic energy, including blueprints for development which have not yet been attained in atomic energy, merits the praise, the gratitude, and the fair and honorable commendation of the American people.

Gen. Leslie Groves has received that commendation from the American people. In their hearts and minds I think his position as an administrator for his country at the time of its greatest need is secure.

SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO—CONFERENCE REPORT

Mr. ELLENDER. Mr. President, I submit a report of the committee of

conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 984) to amend the Agricultural Act of 1949, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER (Mr. JOHNSON of Texas in the chair). The report will be read for the information of the Senate.

The report was read.

(For conference report, see today's proceedings of the House of Representatives, pp. 7715-7717.)

The PRESIDING OFFICER. Is there objection to the immediate consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ELLENDER. Mr. President, as the clerk has just indicated, the conference report has been signed and approved by every member of the conference. The bill itself, as it came from the Senate, was accepted by the House conferees with but two major changes. The first change from the Senate version is the elimination of the so-called Douglas amendment. It will be recalled that the House had a companion bill before it for some time. After it was considered by the Agriculture Committee of the House, a rule could not be obtained for a long time because of the presence in the Senate bill of the so-called Douglas amendment. Finally a rule was obtained, and during the consideration of the bill by the House the so-called Douglas amendment was ruled out on a point of order, and the House adopted its own bill, which differs somewhat from the Senate bill.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. WELKER. Will the Senator tell us briefly what the Douglas amendment is?

Mr. ELLENDER. It made it a felony for any employer in the United States to employ a wetback knowingly, that is, to employ a Mexican who crossed over the border without any right to do so.

It is my considered judgment that the bill as approved by the conferees will go far toward curbing the wetback problem. I have no doubt about that. There is before the Senate Committee on the Judiciary a bill which incorporates the so-called Douglas amendment. As a matter of fact, the Douglas amendment is derived from the bill just referred to, which I introduced several weeks ago. I have the assurance of the distinguished chairman of the Judiciary Committee [Mr. McCARRAN] that my bill, which deals with the problem along the line suggested by the Douglas amendment, will soon receive consideration.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MILLIKIN. Has the Douglas amendment been taken out of the conference report?

Mr. ELLENDER. Yes. That was the only way we could obtain a bill. We tried very hard, but to no avail, and I thought it wise to make every effort to get an agreement with the House and

to obtain consideration of the report today.

Mr. MUNDT. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. In a moment.

There is a second major provision which the House seriously objected to in the Senate bill. That relates to certification as to the need for Mexican workers on a national basis. It will be recalled that the bill, as originally introduced in the Senate, provided that certification was to be made on a State basis, but on the Senate floor an amendment was adopted requiring certification on a national basis. The House had it on a regional basis. So the House agreed to strike from the bill its own provision about certification on a regional basis, and accepted our provision of having it on a national basis. That is, the certification would be made by the Secretary of Labor.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HUMPHREY. In other words the amendment which requires the Secretary of Labor to ascertain whether there is domestic supply available is retained in the bill.

Mr. ELLENDER. That is correct.

Mr. HUMPHREY. And he must make a certification of that after proper hearing?

Mr. ELLENDER. Section 503 of the original bill provided that the Secretary of Labor must make two determinations—

That (1) sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed, (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed.

There is also contained in the bill a third requirement, which was adopted at the insistence of the Senator from Minnesota, which provides:

And (3) reasonable efforts have been made to attract domestic workers for such employment at wages and standard hours of work comparable to those offered to foreign workers.

So all those requirements must be met before the Secretary of Labor can certify that Mexican workers are needed.

Mr. HUMPHREY. Does the Senator feel that the bill is a decided improvement over the present noncontrol system that we have?

Mr. ELLENDER. There is absolutely no question about it. As I indicated a moment ago, what prompted the Senate conferees to agree to the elimination of the so-called Douglas amendment was that it made the adoption of the bill by the House certain. Under the bill our Government is permitted to engage with the Mexican Government in recruitment and guaranteeing of contracts, all of which will go far toward curbing the wetback problem. I have no doubt but that if the program can be in operation for the 2½ years as authorized by the bill, we can then have enacted the so-called Douglas amendment through a bill which

I now have before the Committee on the Judiciary for consideration.

Mr. HUMPHREY. In other words, I understand that the Senator will press for the passage of his bill, which later on was made the Douglas amendment.

Mr. ELLENDER. The Senator is correct.

Mr. HUMPHREY. That is the only way we can handle the wetback problem and handle it effectively, is it not?

Mr. ELLENDER. Oh yes, I have no doubt about that. That is what prompted me to introduce the bill in the Senate.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. AIKEN. I may point out that, in my opinion, the adoption of the Douglas amendment was more for its effect upon the public sentiment than for practical value. Under the Douglas amendment it would have to be proved that a man knew he was employing a wetback when he employed him, and that would be very difficult to do. In fact I know of no employer who would go into court and say that he knew it. So I think it would have been very difficult ever to have obtained a conviction under the Douglas amendment.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MUNDT. Is the Senate to understand that the only difference between the proposed legislation as reported by the Committee on Agriculture and Forestry and as amended in the Senate, and the version adopted by the House is the elimination of the Douglas amendment?

Mr. ELLENDER. No. There are several, more or less, minor disagreements which were reconciled.

Mr. MUNDT. Mr. President, will the Senator explain those to the Senate?

Mr. ELLENDER. Yes; gladly. I was about to do so. It will be recalled that the Senate version contained a provision that a contract between the Mexican workers and United States employers could not be made unless the workers were in the United States under legal entry. The House sought to strike that provision, but finally agreed to let that provision remain in the bill with a further amendment. The House conferees explained to us that there were quite a few families living on the border that had been there for many years, some of them for 10 years, who had entered the country illegally long ago, and that it might be unjust to make the provision apply to those people. So we agreed to amend the section to this effect—and I will read the provision; it is self-explanatory:

The Secretary of Labor is authorized—

(1) to recruit such workers (including any such workers who have resided in the United States for the preceding 5 years, or who are temporarily in the United States under legal entry).

In other words, any person from Mexico in the United States who has been here for less than 5 years, in order to be able to be contracted under this program must be here under legal entry. But if he has been here for a period of over

5 years, then it is necessary for him to obtain the approval of the Mexican Government if he wishes to be employed under this program. That is one of the changes that was made.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MUNDT. Do I understand correctly from the Senator's statement that a considerable number of Mexicans have been residents of this country illegally for more than 5 years?

Mr. ELLENDER. Oh, yes. There are such people all along the border, in California, Arizona, New Mexico, and in Texas. They have been residing in the United States for a long time, and many of them are living on farms located along the border.

Mr. MUNDT. If they are here illegally, why are they permitted to remain?

Mr. ELLENDER. Well, they have been living here for so long they have become a part of the population in that area. The House conferees felt that a grave injustice would probably be done to those people who have been living in the United States for so long. Many of them have children who were born in the United States and who are now citizens. I repeat, what we did was to provide that in order for them to be able to be employed under this program it would be necessary that they obtain the consent of the Mexican Government before a contract of employment could be entered into.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. AIKEN. The Senator from Louisiana pointed out that some of those affected were old people, living with their children, who were American citizens, but that the old people themselves had never been naturalized, and apparently the Immigration Service has been overlooking such cases. However, I cannot conceive of the Mexican Government contracting for the labor of people who have been living in the United States for the past 10, 15, or 20 years, and who have no intention ever to go back to Mexico, unless deported.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MUNDT. It occurs to the Senator from South Dakota that it is a bit paradoxical for the Congress to be passing legislation which is to be of specific benefit to people who are living illegally in the United States. Seemingly there is a breakdown some place in Government if such a condition is permitted to continue.

Mr. ELLENDER. I do not say that we are passing legislation for the benefit of people who have not complied with the immigration laws. People who have lived here for the period described can apply for naturalization. They do not become citizens under the pending measure.

Mr. MUNDT. I understand the persons in question are not here through legal entry.

Mr. ELLENDER. They came here years ago when the laws were not so stringent. The proposed legislation

would not legalize such entry. The only way they could be employed under this program would be by virtue of an agreement between our country and Mexico. It could not be done otherwise.

Mr. MUNDT. Does the proposed legislation legalize such entry?

Mr. ELLENDER. No. The only thing it deals with is the matter of employment. It does not deal with these people becoming citizens. They would have to conform to our immigration laws to become citizens.

Mr. President, it will be recalled that the maximum amount that each employer was to pay for the cost of transporting workers within Mexico to a point on the border was fixed by the Senate at \$20. The House fixed it at \$10, so we compromised and made it \$15. The requirement in the Senate bill that a Mexican must be apprehended in the United States before an employer could be made to pay his transportation to Mexico was eliminated. The House conferees took the position that it would stand as an open invitation for employers to induce Mexicans to leave the farm in the hope that they would reach Mexico in some way.

Mr. THYE. Mr. President, may I ask a question?

Mr. ELLENDER. I yield.

Mr. THYE. What was done with the proposal for regional and district centers? We were contemplating one in the Northwest.

Mr. ELLENDER. That provision was not in the bill. It was not agreed to by the Senate or the House.

Mr. THYE. It was under discussion before the Senate committee. We discussed the possibility of establishing such centers.

Mr. ELLENDER. The subject was not in conference.

Mr. THYE. So there is no provision in the bill to establish regional offices for the purpose of recruiting?

Mr. ELLENDER. The Senator is correct. That issue was not involved in either bill, and was therefore not in conference.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. AIKEN. It was proposed and killed in the Senate.

Mr. ELLENDER. Yes, as I previously indicated.

Mr. THYE. I wanted to make certain whether any provision comparable to that had entered into the bill.

Mr. ELLENDER. No.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. McCLELLAN. As I understand, the Douglas amendment was eliminated by the conferees, and is not in the bill.

Mr. ELLENDER. The Senator is correct.

Mr. McCLELLAN. What is the provision in the bill as reported by the conferees with reference to the liability of farmers for those who skip?

Mr. ELLENDER. The farmer will be responsible for the cost of transportation from the point of entry into the

United States to the farm and return. That provision has not been changed.

Mr. McCLELLAN. I mean those who skip after they are under contract.

Mr. ELLENDER. The United States Government will have to pay any costs above what would have been the cost of returning the worker to the reception center if he had not left his place of employment.

Mr. McCLELLAN. Is there any cost assessed against the farmer when they are apprehended and deported?

Mr. ELLENDER. The only cost will be what it would have cost to return the employee from the employer's farm to the point of employment on the Mexican border.

Mr. McCLELLAN. That is, the actual cost?

Mr. ELLENDER. The normal cost.

Mr. McCLELLAN. Is that cost assessed against the farmer prior to the apprehension of the employee who skips, or only after he is apprehended?

Mr. ELLENDER. It would apply regardless of apprehension.

Mr. McCLELLAN. In other words, the farmer must pay if they skip, although he has no control over them?

Mr. ELLENDER. The Senator is correct. However, he is not obligated to put up a bond, as before, nor pay the cost of apprehending him.

Mr. McCLELLAN. He is not required to furnish bond, but he is obligated to pay the normal cost of transportation of the employee back to the point of entry?

Mr. ELLENDER. The Senator is correct. That is what the bill provided when it passed the House and the Senate conferees agreed to it.

Mr. President, there is another change which I should like to call to the attention of the Senate. In the definition of "agricultural employment" the House insisted on including: "horticultural employment, cotton ginning, compressing, and storing, the crushing of oil seeds, and the packing, canning, freezing, drying, or other processing of perishable or seasonable agricultural products."

The Senate conferees agreed to the amendment, for the simple reason that it was felt that, since certification of need was to be made on a national basis, by the Secretary of Labor, if the three requirements in the bill which I previously read were fulfilled there would be sufficient safeguards to protect domestic labor.

The Senate conferees agreed to extend the provisions of the bill to December 31, 1953, instead of 1952 as provided for in the Senate bill.

Mr. President, if there are any further questions I shall be glad to make further explanation.

I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. THYE. Mr. President, I should like to ask one further question.

How much difference is there between the conference report and the law which was in existence last year? What are the fundamental differences which are

written into the proposed new law, beyond the law which was on the statute books a year ago?

Mr. ELLENDER. There was no law previously. It was done by mutual contract between United States employers and the Mexican Government.

Mr. THYE. There had to be a law which permitted such mutual agreement.

Mr. ELLENDER. It was done under our naturalization and immigration laws. As I understand it, authority had to be obtained from the Attorney General to permit an employer or an organization that recruited labor, to go to Mexico and enter into an agreement directly with the Mexican employees.

Mr. THYE. That is the question which will arise in the mind of the producer who is depending on off-shore labor. He will ask immediately, "What is the provision in this law which is different from the regulations imposed on me in acquiring off-shore labor in the past?" Can employers go to Jamaica and get help?

Mr. ELLENDER. Let me say to my good friend that so far as Jamaica, the Bahamas, and Canada are concerned, the law is not changed. This bill applies strictly and solely to Mexican labor. The method now in force for the employment of off-shore labor, with respect to Jamaica or any other area, is through contracts between the employer in our country and workers living in the off-shore areas.

Mr. THYE. I wished to make certain about it, so that those who examine the record will know specifically that they may proceed to Jamaica or any other place, as they have done in past years, and that this provision relates only to the question of Mexican labor.

Mr. ELLENDER. The Senator is correct.

Mr. THYE. I wanted to be sure that the record showed that fact.

Mr. ELLENDER. I am glad to have the Senator raise the question.

Mr. THYE. Many of the employers in the northwestern area have not been going to Mexico to get workers. They have been going to the islands.

Mr. ELLENDER. I am glad to have the Senator raise the issue, even though the question was thoroughly discussed and debated when the Senate considered the bill in its original form.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MUNDT. In that connection, I should like to ask the distinguished Senator from Louisiana, the chairman of the committee, who went to a conference in Mexico to try to establish mutually agreeable relationships between Mexico and the United States, whether in his opinion the bill as it now comes back from conference is in such form that it will be acceptable to the Mexicans, in line with the conferences which were held?

Mr. ELLENDER. I think so. It is not all that they asked, to be perfectly frank, but it is the best we could obtain. I believe that it will be acceptable to the Mexican Government, because it repre-

sents an improvement over the situation which has prevailed in the past.

Mr. MUNDT. Does the Senator feel that in general it will meet with the approval of the Mexican Government?

Mr. ELLENDER. I am reasonably certain that it will.

Mr. MUNDT. I believe that our Mexican friends have wrestled with the problems of democracy long enough to realize that we do not always get 100 percent of what we want.

Mr. ELLENDER. I made it plain to them that I, as an individual, would cheerfully make every effort to get approval of their requests. Among the requests was something along the line of the so-called Douglas amendment.

Mr. MUNDT. But the Senator believes that this bill fulfills the major purposes?

Mr. ELLENDER. They wanted to make it even stronger.

Mr. MUNDT. I had in mind particularly the objection of the Mexican Government to draining away people just south of the border.

Mr. ELLENDER. That is a thing with which we shall still have to settle. I am convinced that the proposed law will permit our country to enter into more workable agreements, agreements which will have a greater chance of solving the wet-back problem. As I stated when the bill was considered some time ago, I sympathize with the Mexican view. The economy of Mexico is growing by leaps and bounds. Her industries are developing, and, of course, she needs a great many of the employees who come to our country. Particularly is that true in northern Mexico. The difference between wages paid in the United States and wages in Mexico is so great that it acts as an inducement for Mexican laborers to leave their own country and come here. There is no doubt about that. Realizing that situation, the Mexican Government is very anxious that a bill similar to the one now being considered be enacted.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. McCLELLAN. The distinguished Senator from South Dakota inquired about the Mexican Government's satisfaction with the law. Of course I wish to satisfy the Mexican Government as much as I can. I am also interested in knowing whether the American farmers, who expect to get this labor, are also generally satisfied with the bill.

Mr. ELLENDER. I would say they are. The main objections that we heard with reference to the present method of employing Mexican labor centered around the requirement—the bond provision—with which the Senator is familiar. Those objections have been eliminated. Another objection was with reference to making it necessary for our own citizens to go into Mexico to recruit labor. Under the bill the Mexican labor would be selected by Government officials in Mexico and brought from certain points in Mexico to recruiting centers in the United States. At such recruiting centers our employers will bargain with the Mexican laborers.

That is a provision which employers, generally speaking, desire. It will eliminate quite a lot of expense and it may be possible to obtain the services of a better class of Mexicans.

Mr. McCLELLAN. The senior Senator from Louisiana is very much interested in the problem, and I know he has worked very faithfully in order to get a good bill. I thought I understood him to say a minute ago that the bill is a decided improvement over the present method, under which we have operated so far.

Mr. ELLENDER. Yes. I desire to state that I honestly and sincerely believe that it is the best that could be obtainable under the circumstances.

Mr. President, I should like to have incorporated as part of my remarks at this point in the RECORD a memorandum showing in detail the changes made in conference, and the statement of the managers on the part of the House.

The PRESIDING OFFICER (Mr. GEORGE in the chair). Is there objection?

There being no objection, the memorandum and statement were ordered to be printed in the RECORD, as follows:

CHANGES MADE IN CONFERENCE TO S. 984 AS PASSED BY THE SENATE JUNE 29, 1951

1. On page 2, line 2, after the word "workers" insert "who have resided in the United States for the preceding 5 years, or who are." A large number of Mexicans have lived in the United States for many years and have become permanent members of their communities, although they entered the country illegally in the first place. They are to be distinguished from the so-called wet-back who simply comes into the country for a short period of time and then returns to Mexico. This amendment would make them eligible for recruitment under the program authorized by the bill, but the bill also provides that such an arrangement will be subject to agreement between the Governments of the United States and Mexico.

2. On page 3, line 16, strike out the figure "\$20" and insert the figure "\$15." This amendment would reduce the maximum reimbursement to the Government by employers for transportation and subsistence of workers from \$20 to \$15.

3. On page 3, lines 20 and 21, strike out "and is apprehended within the United States." This amendment provides in the case of a worker not being returned to the reception center in accordance with the individual work contract, that the employer would pay an amount equal to the normal cost of returning such worker from the place of employment to the reception center. The bill as passed by the Senate would have provided that such reimbursement would be made only if the worker were apprehended within the United States.

4. On page 4, line 16, after the word "in", insert "for not less than the preceding 5 years or." This amendment corresponds to the amendment made on page 2 concerning those Mexicans who have resided in the country for a long period of time.

5. On page 6, line 18, strike out the period and insert the following: "horticultural employment, cotton ginning, compressing and storing, crushing of oil seeds, and the packing, canning, freezing, drying, or other processing of perishable or seasonable agricultural products." This amendment provides that Mexicans could be employed in the above occupations in addition to the types of work defined as "agricultural employ-

ment" in the Fair Labor Standards Act of 1938 and the Internal Revenue Code.

6. On page 6, beginning on line 12, strike out section 509. This amendment would strike out the Senate provision making employment of any Mexican alien not lawfully within the United States a felony and punishable by a fine not exceeding \$2,000 or imprisonment for a term not exceeding a year, or both, for each alien so employed.

7. On page 8, line 9, strike out the figure "1952" and insert "1953." This amendment would extend the termination date from December 31, 1952, to December 31, 1953.

STATEMENT OF MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 934, to amend the Agricultural Act of 1949, submit the following statement in explanation of the action agreed upon by the conferees and recommended in the accompanying conference report.

The House amendment to the bill struck out all after the enacting clause and inserted in lieu thereof the text of the House bill (H. R. 3283), which had been adopted by the House as reported by the Committee on Agriculture.

The bill as agreed upon by the committee of conference and recommended in the accompanying report is a substitute in lieu of the amendment made by the House to the Senate bill. In the main it adopts most of the provisions of the Senate bill with the exception of section 509, which has been eliminated from the substitute agreed upon by the committee of conference.

GENERAL STATEMENT

The purpose of this bill is to authorize and implement an agreement with Mexico under which Mexican agricultural workers may be available when needed and, when such workers are not available from the domestic labor force, to assist in growing, harvesting, and preparing for consumption crops grown in the United States. It is a bill which is of great interest and benefit to the consumer, as well as to the farmer engaged in the production of these crops, for, with the exception of cotton and sugar beets, almost all of the crops on which it is expected such labor may be needed are crops such as fruits and vegetables which move directly to the consumer. If there is insufficient labor to tend or harvest these crops, causing even a temporary shortage or disruption of their movement to market, this is a situation which is certain to be felt immediately by consumers in the form of diminished supplies of such fruits and vegetables and higher prices for those which are on the market. It is essential to the stabilization of our economy that these agricultural commodities be brought to market in sufficient volume to maintain stability of supplies and prices.

Differences between the House bill and the bill agreed upon by the committee of conference and recommended in the accompanying report are explained below:

SECTION 501

The only change in this section is in subsection (1) where the committee of conference has adopted the Senate language requiring that workers eligible for employment under this bill shall be in the United States under legal entry and has added a provision which will permit also the hiring of any Mexican national who has resided in the United States for the previous 5 years. This will prevent the hiring of so-called wetbacks under the contracts authorized by this bill but will permit those Mexicans who actually have lived for many years in the United States, even though their entry might

not have conformed to legal requirements, to obtain agricultural work. The committee of conference believes that this provision is necessary in essential justice to the many Mexicans who, because of the closeness of Mexico and the United States and the traditional freedom of movement across the border, may have entered the United States without complying with immigration formalities, but who have been for many years continuous and useful residents in the United States. It should be remembered that even though such Mexicans may meet the requirements of this provision and be acceptable to their American employers, they still cannot be contracted without the consent of the Mexican Government.

SECTION 502

In subsection (2) the amount "\$10" is changed to "\$15."

SECTION 503

Two changes are made in this section:

(1) The committee of conference has accepted the Senate requirement that the determination as to the availability of domestic workers for agricultural purposes shall be made by the Secretary of Labor, instead of by the Regional Director, Bureau of Employment Security, United States Department of Labor for the area involved, as provided in the House bill. This appears to the committee of conference to be a relatively minor change, since the Regional Director works under and by delegation of authority from the Secretary of Labor and it is assumed by the committee of conference that, inasmuch as time is frequently of the essence in the hiring of agricultural labor and harvesting of agricultural crops, the Secretary of Labor will delegate to the Regional Director the authority to make these determinations where the time element is important and where reference to the Secretary himself would entail any measurable delay.

(2) The committee of conference also accepted the provision of the Senate bill requiring that the Secretary of labor must certify before foreign labor may be utilized under the terms of this bill that reasonable efforts have been made to attract domestic workers for such employment at wages and standard hours of work comparable to those offered to foreign workers.

SECTION 504

Two changes are made by the committee of conference in this section:

(1) On page 4, line 12 of the House bill after the word "in" the words "for not less than the preceding 5 years or" have been added. This is the same change made in section 501 (1) and was discussed under the amendments to that section.

(2) The conference has accepted the proviso to this section contained in the Senate bill which provides that no workers shall be made available under the terms of this bill nor permitted to remain in the employ of any employer who is using "wetback" labor.

SECTION 505

In this section the committee of conference has accepted the House language of subsection (1). This permits the employment of workers made available under the bill in various types of processing plants which are intimately related to and connected with the production of agricultural commodities and which perform functions which must be carried out before those commodities can be made available for use or consumption. Virtually all of these processing plants are located actually out in the country or in small cities and towns which are entirely rural in character. They are affected by the same labor conditions which apply to the farms, orchards, and other agricultural operations in the area. In those few instances where processing plants of this

type are located in larger cities—where there might be presumed to be some supply of domestic labor available—they will be necessarily removed from agricultural areas and environments to such an extent that the required certification by the Secretary of Labor that domestic labor is not available will in most instances amount to a certification for each individual plant.

In subsection (2) of section 508 the committee of conference has adopted the Senate language which requires that associations who act as employers under the terms of this bill shall be acceptable for that purpose only if the individual members thereof are bound by the obligations made by the association or if the Secretary determines that such individual liability is not necessary.

DOUGLAS AMENDMENT

The committee of conference has eliminated from the bill section 509 of the Senate bill. It has done this on the grounds that this general revision of the immigration laws is not germane to the purpose of this bill, which is that of providing statutory authority for the use of Mexican workers under a contractual relationship between the United States and Mexico and with the workers themselves. The committee of conference is sympathetic to the objectives of eliminating the abuses which have stemmed from the employment of wetback labor. It believes that the bill reported herewith will go far in correcting that situation and that any general revision of the immigration laws which may be necessary to further improve this situation should be made by the committees of the respective Houses having a jurisdiction over that subject matter. The committee recognizes as a matter of general knowledge that such legislation is now pending in the Senate and that the appropriate committee of the House has undertaken hearings and investigations for the purpose of bringing out such legislation in the House if it is found to be necessary.

The committee believes that this bill will, in fact, do much to help solve this vexing problem. It will provide an open door through which those Mexicans who want to work in the United States can enter and be employed here legally under terms which will safeguard their rights and their interests in a manner far better than they could ever be safeguarded under any form of illegal entry and employment. It forbids any employer who has wetback labor in his employment from obtaining assistance under the terms of this legislation. It thus makes it distinctly to the advantage of both the employer and the Mexican worker to operate on an entirely legal basis under the provisions of this bill.

The PRESIDING OFFICER. The question is on agreeing to the report.

Mr. MORSE. Mr. President, I rise to object to the conference report. First I ask to have printed in the body of the RECORD, at this point in my remarks, an editorial on the wetback problem. It was published in the San Francisco Chronicle of recent date.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AN ALIEN PUZZLE

Striking AFL farm labor unionists in the Imperial Valley are dramatizing their \$1-an-hour demands in a conventional wage dispute with the Imperial Valley Farmers' Association by an interesting stratagem. They have become volunteer enforcers of the immigration laws of two nations—Mexico and the United States—and pursuant thereto are rounding up some 300 Mexican wetback laborers daily under citizen arrest.

Since a wetback is by definition an alien illegally present in the United States, the

farm union citizens are in the superficially impeccable position of helping Federal officers to enforce the United States law. Furthermore, they are adventurously helping Mexican consuls to enforce both Mexican laws, which condemn illegal passages across the international border, and a Mexican agreement which calls for the clearance of all Mexican nationals from a labor dispute zone.

In undertaking the function of sentinels for the sister Republics, however, the farm unions strikers are treading upon a highly delicate and immensely complicated international situation, and that situation is most probably not going to be helped by any such self-interested tactical efforts as the strikers are using.

Hungry, jobless Mexicans become "wetbacks" by swimming across canals or streams at unguarded border points—or by walking over the border dry-footed—in search of relatively well-paid American farm jobs. The annual "wetback" invasion of the United States is tremendous; its extent is indicated by the fact that in 1950 some 565,000 "wetbacks" were deported or voluntarily returned to Mexico. (Not that many different individuals were deported, since a considerable number made more than one round trip.) This year an Immigration Service official estimates, the captures and enforced departures along the California, Arizona, New Mexico, and Texas borders may reach 800,000.

So common is the practice of "wetbacks" to come back over the border after having been deported just over the line that the Immigration Service has inaugurated an air lift from the Imperial Valley, employing three chartered planes to pick up the "wetbacks" and fly them 1,100 miles away to Guadalajara. "We have found that the mere shoving of Mexicans over the border is futile," says H. R. Landon, regional Immigration Service Director in Los Angeles. "There have been instances in which a single Mexican laborer has illegally crossed the border as many as six times in 1 day. But it's a long walk from Guadalajara."

This deportation procedure may be convenient to the purposes of the Immigration Service, but it raises the question of whether it is legal to air-lift the unlucky "wetbacks" to a deep interior place, instead of to the point of their illegal entry. We find the question disturbing, and it is just one of the disturbing aspects of the problem.

Fundamentally, the illegal Mexican entrants are responding to an understandable economic push. As the President's Commission on Migratory Labor recently reported in a thorough discussion of the wetback problem, farm wages in the north of Mexico, near the border, are only about 69 cents a day, in terms of United States money. On this side, wetbacks make around 25 cents an hour on the farms of the Rio Grande Valley in Texas and around 40 cents an hour in the Imperial Valley, according to the Commission's report. These are sky-high wages for the wetbacks in relation to what they can earn at home, if and when there are jobs there at all; but they are depressed wages in relation to the general American agricultural pay level. That is a big element in the hostility of the Imperial Valley citizen strikers toward the wetbacks.

The farmers are caught between their need for seasonal, migratory labor, whether of legal or illegal origin, and their natural desire to take advantage of a situation tending toward low labor costs. The wetback is wage exploitable because, as an ignorant alien of illegal entry, he is in no position to complain about the differential between what citizen farm laborers earn and what he gets.

A more involved conflict of economic needs, economic rights, human needs, and human rights than exists in the wetback problem

would be hard to imagine. The President's Commission proposes to make it unlawful for farmers to employ wetbacks, and a bill is now before the Senate making it a felony. But laws of Congress are not going to repeal the economic push that propels Mexican nationals from their town plazas over the border into the relative prosperity of migratory farm jobs, nor are laws going to repeal the economic need of the border-State farmers for seasonal field hands. In California we have lived with this problem, in different forms and in various areas, for a century, and nobody has yet come up with a good solution.

Mr. MORSE. Mr. President, in my opinion it would be better to have no law at all on the Mexican labor problem than to adopt the conference report. I believe the conference report is bad in a great many ways. Its greatest weakness lies in the fact that no advance is made, and the wetback situation remains as a disgraceful scar on the labor economy of our country.

One need read only the report of the President's Commission, headed by the very able citizen from North Carolina, Mr. Van Hecke, to know whereof I speak. The report was before us when the bill was being considered by the Senate. The facts contained in the report are available to Senators, and have been available during the past weeks. In my opinion what it reveals is no less than shocking. In view of the fact that this great objective study on the itinerant labor problem in the United States has been made, and the facts are before us, we should insist now, when we have the first opportunity by way of legislation, on at least taking some action to better the situation, instead of adopting the report, which admittedly really does nothing in regard to solving the wetback problem in the border States.

I would be opposed to the report if for no other reason than that facts are before us which call upon us to take action to end this kind of human exploitation. We are doing nothing about it in the conference report bill. In fact the report eliminates the one amendment we were able to attach to the bill when it was before the Senate. We tried to take positive action to check at least the type of human degradation which characterizes the wetback problem among the border States. The failure of the conference report to deal with that problem makes it impossible for me to support the report.

Secondly, I wish to say that I am opposed to the report because it continues a type of unfair discrimination against other States. In effect—and I say it most respectfully—the net result of the bill would be to continue in the border States the opportunity to get cheap labor, to the detriment of American labor in general. The Van Hecke report points out that if we really wish to organize properly and administer effectively the itinerant labor problem, we would provide decent standards of living for itinerant labor, and recognize that the harvesting of seasonal crops, which requires a large number of itinerant laborers, is a national problem. The whole burden of it should not be placed upon the particular area which has im-

mediate need of the labor, but, for the good of the economy of our country, should be handled on a national scale. If Congress would act along those lines, we would not have the kind of problem that is attempted to be alleviated by the pending bill which is now before the Senate in the form of a conference report.

The Van Hecke report states that the only effective way of treating the itinerant-labor problem is by way of a long-range program, on a national basis. To the extent that we need foreign labor, we need it this season on an emergency basis, because of our failure in the past to handle this problem on a national basis. We do not have a long-range program. To the extent that we need the foreign itinerant labor this year to meet the emergency labor needs in handling our harvests, we need it beyond the border States, too. We need it in other sections of the country as well.

Certain proposals were made in the Senate to solve this problem. The Senator from Minnesota [Mr. THYE] alluded to them a few moments ago. Proposals were made to establish reception centers in other areas of the country, beyond the border States. As shown by the yea-and-nay votes, we were met with almost united opposition by Senators from States which would benefit particularly under the conference report bill. We tried to point out that the bill in its present form discriminates against other sections of the country. We could not get very far in the Senate in the effort to have adopted an amendment which would have provided for the establishment of reception centers in the Pacific Northwest, the Northwest, and in the Northeast, as well, if there was need for labor there, and which would have provided for the Government paying the transportation cost from Mexico to the reception centers, where American farmers could enter into contracts with Government officials for the workers, and pay the transportation cost from the reception centers to the farms.

Oh, no, we could not get that kind of cooperation from most border-State Senators in order to make it a fair bill and a nondiscriminatory bill. It had to go through the Senate in the form in which it was reported from the committee except for such changes as the Douglas amendment. In my judgment, the conference report, if adopted, will result primarily in giving to the border States the cheap labor which they seek and desire, as against farmers in other sections of the country, who for this season need emergency relief by way of itinerant farm workers.

Furthermore, it is difficult for me to believe that the Mexican Government would ever subject its citizens to what I believe will be the hardships resulting from the terms of the bill. I am hopeful that the Mexican Government will teach us a lesson by making it clear to us that if this is the best we can do to eliminate the kind of exploitation the Van Hecke report pointed out, they will not consummate any agreement with the American Government to give effect to the law.

I am perfectly aware of the fact that my voice is a voice in the wilderness this afternoon, because there will be sufficient votes to adopt the report. However, I will make my record against it. I will make the record in the hope that in due time the Senate will proceed to take action which will meet the recommendations of the Van Hecke report, and that we will adopt a program which will so raise the standards for American farm workers that we will have enough American workers to do the job.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. MORSE. I will not yield at this time. As the Van Hecke report points out, we have the workers in this country to do the job if we will only take the steps necessary to see to it that their standards of labor are decent and respectable. No one will have any reason to doubt the situation which exists in this country if he will only do what I have done on more than one occasion, namely, really inspect some of the itinerant-worker camps and the itinerant-worker conditions which exist. They are shameful; they are a disgrace to the American people, and they should demand that their elected representatives remedy the situation by enacting proper and effective legislation and not such legislation as is proposed by the pending bill.

Mr. President, because I think a full quorum should be on the floor of the Senate before the conference report is adopted, I suggest the absence of a quorum.

Mr. ELLENDER. Mr. President, will the Senator withhold that suggestion?

Mr. MORSE. No; I will not withhold my suggestion of the absence of a quorum. I think a quorum should be here now.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hendrickson	Millikin
Anderson	Hennings	Monroney
Butler, Nebr.	Hickenlooper	Moody
Cain	Hoey	Morse
Capehart	Holland	Mundt
Carlson	Humphrey	Neely
Case	Ives	Nixon
Chavez	Johnson, Tex.	Robertson
Clements	Kem	Schoeppel
Connally	Kerr	Sparkman
Cordon	Knowland	Stennis
Dirksen	Langer	Taft
Duff	Lehman	Thye
Dworshak	Long	Tobey
Ellender	Magnuson	Underwood
Ferguson	Malone	Watkins
Fulbright	Maybank	Welker
George	McCarran	Wherry
Gillette	McClellan	Wiley
Green	McFarland	Young
Hayden	McKellar	

Mr. JOHNSON of Texas. I announce that the Senators from Connecticut [Mr. BENTON and Mr. McMAHON], the Senator from Virginia [Mr. BYRD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from Alabama [Mr. HILL], the Senators from Wyoming [Mr. HUNT and Mr. O'MAHONEY], the Senator from Colorado [Mr. JOHNSON], the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. KIL-

GORE], the Senator from Maryland [Mr. O'CONOR], the Senator from Rhode Island [Mr. PASTORE], the Senator from Georgia [Mr. RUSSELL], and the Senator from North Carolina [Mr. SMITH] are absent on official business.

The Senator from South Carolina [Mr. JOHNSTON] is absent on official committee business.

The Senator from Montana [Mr. MURRAY] is absent by leave of the Senate on official business, having been appointed a representative of our Government to attend the International Labor Conference being held in Geneva, Switzerland.

The Senator from Florida [Mr. SMATHERS] is absent because of illness.

Mr. WHERRY. I announce that the Senator from Utah [Mr. BENNETT], the Senators from Maine [Mrs. SMITH and Mr. BREWSTER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Montana [Mr. ECTON], the Senator from Vermont [Mr. FLANDERS], the Senator from Massachusetts [Mr. LODGE], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Delaware [Mr. WILLIAMS] are absent on official business.

The Senator from Ohio [Mr. BRICKER], the Senator from Maryland [Mr. BUTLER], and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

The Senator from Pennsylvania [Mr. MARTIN] is absent because of illness.

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the conference report.

Mr. CHAVEZ. Mr. President, I shall not take very much of the time of the Senate, but I think a record should be made, and that the American people should know what would be done if this conference report should be adopted.

First, I invite the attention of the Senate to the record and history of the past 10 years. Our political thinking and our so-called philosophy of government have resulted in hundreds of thousands of white crosses over the graves of American boys. It was hoped that they had not died in vain. It was hoped that they had died in an effort to carry forward an idea. We sermonize all over the world, asserting that we are for free peoples, and we suggest to the Congress the appropriation of funds out of the pockets of the American taxpayers in order to help so-called forgotten people, or those who are not doing very well.

If it were not for such legislation as the Senate is now called upon to pass, we would not need the four-point program. If we were more opposed to imperialism and colonialism, even in economics, we would not need a point 4 program, or even need to talk about forgotten peoples.

Mr. President, I congratulate my good friend the senior Senator from Louisiana [Mr. ELLENDER]. I think he has a fair bill, as a whole, but I, for one, do not believe in slave labor, even if it happens to involve a Mexican. I prefer the philosophy of Jefferson, who said that the Government should be for people in-

stead of for dollars. It seems to be the trend of the moment to forget about humanity and to take advantage of an opportunity to make a measly dollar. Then we talk about doing something for free people all over the world.

Does the Senate know why there are backward people in Iran and Saudi Arabia? It is because of the basic idea in the bill which the Senate is asked to approve this afternoon. Do Senators know why there are starving Mexicans? It is because we are so anxious to make 10 cents or a dollar. Do we mean what we say? There is colonialism in Indochina, in Java, and elsewhere, and there are many backward people there. That situation is fostered by the basic idea and philosophy of the pending legislation, because it is not based upon humanity; it is not based upon freedom about which we love to boast and about which we do so little. It is based upon permitting a few people to take advantage of someone who is hungry. That is what it is, purely and simply.

I invite the attention of every Senator to the fact that a seat in the United States Senate is not worth that kind of action. I prefer to convey to the American people the idea that I believe in those things which made the Declaration of Independence possible. There are probably those who do not like what I am saying, but I still say it. Fighting for things which I do not feel I should fight for is not worth a seat in the United States Senate.

Mr. President, only a few years back some of our ancestors left Europe or elsewhere to come to America. For what reason? In order to take advantage of the sacred freedom of this country.

Without questioning the motives of a single Member of this body, I say that approval of this bill is contrary to common American fair play and decency.

Mr. ROBERTSON. Mr. President, I do not want to discuss either the Mexican labor bill or what may come out of the conference on the appropriation bill. I just reached the Chamber thinking that we were called here to adopt the conference report on the continuing resolution to finance the Government for another month. There was extended debate this week on the defense-production bill. It involved a fundamental principle in which I am deeply interested, and in which I think every American is interested, namely, the proper conception of property, the right to own property, and the qualified right to use it.

I have prepared a statement which I have entitled "The Christian View of Property," which I hope to be able to present to the Senate when I can be recognized next Tuesday, because I think it has a very direct bearing on what we are trying to do in a war emergency, namely, to place temporary restraints on the use of property without violating a very fundamental and Christian principle with respect to the private ownership of property.

Mr. AIKEN. Mr. President, I only wish to say that the bill is far from being a perfect bill. It is a regional bill. I

do not think it can be considered a bill to produce and conserve harvests and conserve food and fiber generally over the United States. It is a bill which is, in effect, a step toward more orderly methods of importing Mexican farm labor into the Southwestern States of the United States. I might say that it is not satisfactory in many respects, so far as I am concerned, and I so advised the conference committee. However, it is better than no bill at all, and it appeared to be the best the conferees could get.

The House accepted the so-called Humphrey amendment which provides that the Secretary of Labor—not the regional director for the States, but the Secretary of Labor himself—must determine that labor is not available in the area where it is to be used. The Secretary of Labor also has to determine that the employment of such Mexican laborers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed. So if we call this a slave-labor bill, we have really got to assume that the Secretary of Labor will permit the use of slave labor here in the United States. That, I believe, would be an unwarranted assumption.

I should have liked to have the Douglas amendment, so-called, remain in the bill, although I think that the penalties provided were too strong. The Douglas amendment provided that anyone who knowingly employed a Mexican alien or had reasonable grounds to believe or suspect or by reasonable inquiry could have ascertained that such alien is not lawfully within the United States, would be guilty of a felony, subject to a fine of \$2,000, or 1 year's imprisonment, for employing such Mexican alien. I thought those penalties were too stiff; and the House preferred to have no bill at all rather than to have the Douglas amendment remain in the bill. They said it would affect several thousand of the older Mexican people along the border who admittedly are in this country illegally, and have been for 10, 15, 20, or 30 years, living with their children, who, in the majority of cases, are American citizens. The Immigration Service apparently has let them remain.

However, if we are to have a penalty for the employment of alien labor in the United States I think that it is unfair to impose that penalty on farmers along the Mexican border alone. If it is to be a felony to employ alien labor illegally in the United States, I believe that the penalty should apply to the employer in New York City or Brooklyn or Chicago or any other section of the country, and also to aliens from any part of the world, whether Mexico or Italy or Germany or any other place.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. CHAVEZ. I agree completely with the Senator from Vermont that the penalty should apply to all. One of the objections to the bill is that its provisions are not confined to Mexican aliens alone.

Mr. AIKEN. That is true.

Mr. CHAVEZ. One objection I advanced was that it does not apply to aliens from any other part of the world; that when we make it a criminal offense and apply penalties with respect to Mexicans the penalties should apply to the whole international picture; that if a penalty is provided for bringing in a Mexican illegally, the same penalty should apply to bringing in a Peruvian or a Cuban, or a person of any other nationality. My objection to confining the legislation to Mexican labor is that it applies to them alone, although there is a class of workers from other places who need work of this kind.

Mr. AIKEN. The legislation applies to the Mexican nationals, because the Mexican Government insisted on some form of regulation for importation of laborers from that country into this country.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. LANGER. Not being a member of the committee, I should like to ask the distinguished Senator from Vermont a question. Suppose some poor citizen of the United States wanted to go to Mexico to work in Mexico, what laws are there in Mexico that would take care of such a laboring man from the United States?

Mr. AIKEN. I have not heard of any but I have not heard of any poor citizens of the United States who wanted to go to Mexico to work. The ones who want to go to Mexico are generally pretty well to do.

Mr. LANGER. Are we receiving reciprocity from Mexico with respect to the labor situation?

Mr. AIKEN. I do not know that Mexico objects to American labor coming into Mexico. I know that Americans go to Mexico and operate ranches and businesses of different sorts. They are under the Mexican laws when they operate in Mexico.

Mr. LANGER. I have a very distinct recollection of a friend of mine who went to Mexico to work on a railroad. The treatment received by him was quite different from the treatment accorded citizens of the United States who work on railroads in this country.

Mr. AIKEN. Whenever I have received complaints of unfair treatment in Mexico—and I have received such complaints—I have taken them up with the State Department, which has made representations to the Mexican Government, and so far such difficulties have been straightened out. Of course, I do not know how long that situation will continue.

Another amendment which I reluctantly agreed to was the one which extended the definition of agricultural labor so as to include cotton ginning, crushing of oil seed, packing, and canning. There again the Secretary of Labor has to find that there is no American labor available; that there is distinct need for the Mexican labor, and that the employment of such labor will not affect the wages and working con-

ditions of domestic agricultural workers. We have that safeguard.

I do not know whether the Mexican Government would carry out the threat, or promise, not to permit its nationals to come to this country to work after July 1 or not, but in any case it is better to have them come under an orderly and legal arrangement.

Again I want to say that I did not find this bill satisfactory in some respects. It does appear, however, to be a step toward the orderly handling of the immigration of foreign workers. If the Secretary of Labor exercises complete vigilance I think that no damage will come from it.

So far as the wetback situation goes, with no legislation at all I would expect the situation to be worse than it would be if we have a bill which is not satisfactory, but which goes part way toward solving the problem.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. CAIN. Mr. President, I wanted, sir, to suggest that my good friend from Oregon [Mr. Morsel is not always correct when he sometimes states that he speaks for no one other than himself. A few minutes ago the Senator from Oregon said that he was raising his voice in the wilderness against the weaknesses apparent to him in the conference report. My wish is to say to the Senator from Oregon that he has some company in that wilderness. The Senator from Washington has generally agreed with the views expressed by the Senator from Oregon today, and wishes to associate himself with that position.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CAIN. I yield.

Mr. MORSE. It is still a pretty black wilderness.

Mr. CAIN. It has more life in it than the Senator began with. I thought that fact ought to be brought to his attention.

Mr. MORSE. I thoroughly enjoy the company of the Senator from Washington.

Mr. CAIN. I thank the Senator from Oregon.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. CAIN. I yield.

Mr. MUNDT. I wonder if the Senator from Washington wishes to modify the generality to apply specifically to this legislation, rather than all matters involving public questions.

Mr. CAIN. I thought I made myself clear on that subject. I make haste to do so. I was referring only—as an exception in itself—to the present question.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. WILEY. Mr. President, I did not quite get the import of the statement of the Senator from Washington. Am I to understand that the Senator from Washington and the Senator from Oregon are adrift in the wilderness?

Mr. CAIN. I think I shall not bother at the moment to answer that conclusion, erroneous as it is.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

EXEMPTION OF STATE OR LOCAL HYDRO-ELECTRIC POWER PROJECTS ON NON-NAVIGABLE STREAMS FROM CERTAIN PROVISIONS OF THE FEDERAL POWER ACT

Mr. BUTLER of Nebraska. Mr. President, on behalf of myself and my colleague the Senator from Nebraska [Mr. WHERRY], I ask unanimous consent to introduce a bill to exempt hydroelectric power projects constructed by State or local governmental agencies on non-navigable streams from certain of the provisions of the Federal Power Act.

The bill was prepared by the Legislative Committee of the National Reclamation Association and has been approved by the association's board of directors, and is in conformity with Resolution No. 17 of the association, adopted at its Spokane, Wash., meeting of November 1950.

Under existing law, the present situation is that any State or public agency thereof which proposes to build a hydroelectric power project on a stream, is required under provisions of the Federal Power Act to file a declaration of intention, including plans and specifications, with the Federal Power Commission. If upon investigation, the Commission finds that the proposed construction affects the interests of interstate or foreign commerce, such works may be constructed only under a license issued by the Commission. Such license may run for 50 years, and shall contain a provision by which the United States, upon or after expiration of the license period, may thereafter operate and maintain such works upon payment of certain costs to the licensee. This provision is called the recapture clause.

This bill proposes the amendment of the Federal Power Act—Sixteenth United States Code, pages 791a-825u—for the purposes of invalidating the recapture clauses in all existing licenses under which State public agencies are now operating, and extinguishes such recapture rights as to future projects, contingent upon certain findings of the Secretary of the Army relating to navigability of the streams in the Nation.

The bill further exempts from the jurisdiction of the Federal Power Commission all project works, as defined in the bill, which any State public agency intends to construct on any stream, also contingent upon the same findings respecting navigability.

The Federal Power Act when applied to publicly owned projects is expensive, serves no useful purpose, and is unfair. I offer the following illustrations in support of this statement:

First. It is expensive: For example, it cost the central Nebraska public power and irrigation district of Nebraska \$48,-856.82 to prepare and file the report of its actual legitimate original cost. This job is not done yet. The district paid to the Federal Power Commission as annual charges for 1950, \$7,649.25. Substantially the same sum is paid each year.

The district is required to prepare an annual report, Form No. 1, of about 75 pages. This report covers the year's operations. It is also required to file a report annually of about 18 pages on FPC Form No. 1A. Then the district has to file a report pursuant to Commission Order No. 143, showing the production and distribution in kilowatt-hours of its power.

This district is also required to file with the regional office of the Federal Power Commission in Chicago annually, FPC Form No. 12-A, showing capacities and production and incidental data relative to each of its power plants, and is also required to file monthly construction progress reports, detailed reports on operating conditions, power-production reports, financial statements, and reports on hydraulic operations.

All of these numerous and sundry reports take a great amount of time to prepare and cost public agencies a substantial amount of money. This cost, of course, has to be passed on to the power users and users of irrigation water.

Second. It serves no useful purpose: All of this expense and inconvenience could be tolerated without complaint if it served any real purpose or did anyone any substantial amount of good, but it does not. Certainly the public agency receives no benefit. The Federal Power Commission does not control power rates or irrigation rates where this service is included. It has no control over operations. The only use the Federal Power Commission can make of these annual reports is to determine how much it intends to assess public agencies in annual charges.

Third. It is unfair: The Federal Power Act provides that at the termination of the license the Federal Government can, by making certain payments, take over the project.

The Nebraska project I have mentioned, in common with similar projects in the country, are operated by State agencies. They are under the control of the people of a State through its legislature. The Nebraska streams from which these projects take their waters are nonnavigable. If these projects effect navigation in the Missouri River, that effect is beneficial. It has been so found by the Federal Power Commission as to these Nebraska projects and is so recited in their licenses. The waters these projects use are strictly the property of the State. These State agencies confine their activities to the State of Nebraska. Why any Federal Bureau under these circumstances should have the power to take away from the people of a State a power system the people themselves own, and which they control, is a question which cannot be logically answered by anyone who believes in democracy and the right of the people to run their own affairs.

There is no logical reason why the people of any State should be compelled to pay annual charges to the Federal Government for which they receive no benefits in return.

The change in the law advocated by the National Reclamation Association should be adopted.

I ask unanimous consent that a copy of the bill be printed in the RECORD at this point as a part of my remarks.

There being no objection, the bill (S. 1789) limiting the application of the Federal Power Act as to States and municipalities, and for other purposes, introduced by Mr. BUTLER of Nebraska (for himself and Mr. WHERRY), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc.—

SECTION 1. This act shall be applicable to dams and project works built or intended to be built by States and municipalities across, along, or in navigable waters within the United States.

SEC. 2. (a) The word "municipality" means a city, county, district, or other political subdivisions or public agency of a State.

(b) The phrase "project works" means all dams and works comprised in and appurtenant to the affected dams, reservoirs, diversion channels, powerhouses, water power and electric generating and transmitting equipment and facilities.

SEC. 3. After passage of this act any State or municipality intending to construct on any stream or streams any project works, for which it would otherwise be required by the Federal Power Act to file a declaration of intention with the Federal Power Commission, shall not be required to file such declaration with the Commission nor to obtain any preliminary permit or license therefor, if the Secretary of the Army shall find and certify, upon application of such State or municipality, either that such stream is not navigable in fact, or that such project works will not materially and adversely affect the navigability of waters then being used or improved for navigation.

SEC. 4. Any State or municipality which has heretofore obtained a license under the Federal Power Act and which would not, under the terms of this act, be required to obtain such license, may file with the Secretary of the Army a presentation of the facts with reference to its project works and if the Secretary of the Army shall find and certify, either that the stream or streams are not navigable in fact, or that such project works will not materially and adversely affect the navigability of waters then being used or improved for navigation, or will improve the navigability of such waters, or provide a better navigation route, the license shall terminate, and such State or municipality may complete construction, maintain, and operate the dam and project works without such license, and the Federal Power Commission shall exercise no control over such projects thereafter. Projects on navigable streams shall comply fully with the regulations of the Corps of Engineers of the United States Army for the operation and maintenance of navigation facilities.

SEC. 5. Any rights reserved in the United States by the Federal Power Act or by any license or permit thereunder to take over and thereafter to maintain and operate any project works constructed or owned by a State or municipality upon or after the expiration of a license are hereby relinquished as to licenses heretofore granted, and no such rights shall exist as to project works hereafter constructed by State or municipalities.

RECESS

Mr. HOEY. Mr. President, if no other Senator has anything he wishes to bring up at this time, I move that the Senate stand in recess for a few minutes, subject to the call of the Chair.

The motion was agreed to; and (at 3 o'clock and 19 minutes p. m.) the Senate took a recess, subject to the call of the Chair.

At 4 o'clock and 50 minutes p. m., the Senate reassembled when called to order by the Presiding Officer (Mr. GEORGE in the Chair).

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 984) to amend the Agricultural Act of 1949.

The message also announced that the House had disagreed to the amendments of the Senate to the joint resolution (H. J. Res. 277) making temporary appropriations for the fiscal year 1952, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CANNON, Mr. ROONEY, Mr. GARY, Mr. STEFAN, and Mr. CLEVINGER were appointed managers on the part of the House at the conference.

Mr. MCFARLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MCFARLAND. The Senate has already appointed conferees on the part of the Senate, has it not?

The PRESIDING OFFICER. That is correct; the conferees were appointed yesterday.

RECESS

Mr. MCFARLAND. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and (at 4 o'clock and 51 minutes p. m.) the Senate took a recess, subject to the call of the Chair.

At 8 o'clock and 15 minutes p. m., the Senate reassembled, when called to order by the President pro tempore.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House

had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 277) making temporary appropriations for the fiscal year 1952, and for other purposes.

TEMPORARY APPROPRIATIONS, 1952— CONFERENCE REPORT

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 277) making temporary appropriations for the fiscal year 1952, and for other purposes, and I ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The report will be read for the information of the Senate.

The report was read.

(For conference report, see House proceedings of today, p. 7719.)

The PRESIDENT pro tempore. Is there objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. HAYDEN. Mr. President, I move the adoption of the conference report.

Mr. CASE. Mr. President, will the Senator yield for a question?

Mr. HAYDEN. I yield.

Mr. CASE. As the Senator knows, he and I were discussing the provisions of the conference report a minute or two ago. I should like to ask him now the question which I then asked.

With respect to the appropriations for mutual defense assistance and economic cooperation aid, and other like measures for the foreign aid program which have not yet been brought before the Congress, is it understood that the appropriations authorized by House Joint Resolution 277 for the ensuing month are only for that month, and do not necessarily establish any rate of anticipated appropriation for the regular appropriation bill when it comes before us?

Mr. HAYDEN. They are not in any sense a pattern. They are based upon past performance, during this year. Furthermore, I may say to the Senator

that it is contemplated that whatever sums are appropriated by this joint resolution, the amounts appropriated for the month of July will be deducted from the appropriations which are made for the 12-month period.

Mr. CASE. So the Congress is left free to act upon those appropriations on their merits?

Mr. HAYDEN. There is nothing binding in this measure.

Mr. CASE. I thank the Senator.

Mr. FERGUSON. Mr. President, will the Senator yield for a further question?

Mr. HAYDEN. I yield.

Mr. FERGUSON. It also should be understood by the Senate, as well as by the Government departments and agencies, that with respect to provisions, with relation to the 10-percent reduction of personnel, chauffeurs, publicity agents, and various other things placed in appropriation bills, it should not be taken for granted that such provisions are being eliminated.

Mr. HAYDEN. Again, that is a matter which will have to be disposed of by the Congress.

Mr. President, I move the adoption of the conference report.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

AUTHORIZATION FOR SIGNING ENROLLED BILLS AND JOINT RESOLUTIONS DURING RECESS

Mr. HAYDEN. Mr. President, I ask unanimous consent that during the recess following today's session, the Presiding Officer be authorized to sign duly enrolled bills and joint resolutions passed by both Houses.

The PRESIDENT pro tempore. Without objection, it is so ordered.

RECESS TO MONDAY

Mr. HAYDEN. I move that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 8 o'clock and 19 minutes p. m.) the Senate took a recess until Monday, July 2, 1951, at 12 o'clock meridian.

Mr. McCORMACK. In reply to the gentleman from Mississippi, a similar situation would exist on Monday. There would have to be unanimous consent. So I will request the chairman of the Rules Committee to immediately call a meeting of the Rules Committee in the hope it will report out a rule, which, of course, can be brought up today, although it requires a two-thirds vote, but that action the leadership is hoping the Rules Committee will take and the House will support.

The SPEAKER. The House stands in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 18 minutes p. m.) the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 4 o'clock and 10 minutes p. m.

RULE SENDING TEMPORARY APPROPRIATIONS RESOLUTION TO CONFERENCE

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, by direction of the Committee on Rules I submit a privileged report (H. Res. 309, Rept. No. 667) and ask for its immediate consideration.

Resolved, That immediately upon the adoption of this resolution the joint resolution (H. J. Res. 277) making temporary appropriations for the fiscal year 1952, and for other purposes, with the Senate amendments thereto be, and the same hereby is, taken from the Speaker's table; that the Senate amendments be, and they are hereby, disagreed to be the House; that the conference requested by the Senate on the disagreeing votes of the two Houses on the said joint resolution be, and hereby is, agreed to by the House, and that the Speaker shall immediately appoint conferees without intervening motion.

SEC. 2. It shall be in order to consider the conference report on the said joint resolution when reported notwithstanding the provisions of clause 2, rule XXVIII.

The SPEAKER. The question is, Will the House consider the resolution?

The question was taken; and on a division (demanded by Mr. WILSON of Indiana) there were—ayes 89, noes 12.

Mr. WILSON of Indiana. Mr. Speaker, I object to the vote on the ground a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and twenty-eight Members are present, a quorum.

So (two-thirds having voted in favor thereof) the House agreed to consider the resolution.

Mr. SABATH. Mr. Speaker, due to the urgency and the importance of this matter I shall not take any time. In view of the fact that nearly all of the Members recognize the situation as I do and the need for immediate action, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

Mr. WILSON of Indiana. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

The resolution was agreed to, and a motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints the following conferees on the part of the House: MESSRS. CANNON, ROONEY, GARY, STEFAN, and CLEVENGER.

IMPORTATION OF FOREIGN AGRICULTURAL WORKERS

Mr. COOLEY submitted the following conference report and statement on the bill (S. 984) to amend the Agricultural Act of 1949:

CONFERENCE REPORT (H. REPT. No. 668)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 984) to amend the Agricultural Act of 1949, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That the Agricultural Act of 1949 is amended by adding at the end thereof a new title to read as follows:

"TITLE V—AGRICULTURAL WORKERS

"SEC. 501. For the purpose of assisting in such production of agricultural commodities and products as the Secretary of Agriculture deems necessary, by supplying agricultural workers from the Republic of Mexico (pursuant to arrangements between the United States and the Republic of Mexico), the Secretary of Labor is authorized—

"(1) to recruit such workers (including any such workers who have resided in the United States for the preceding five years, or who are temporarily in the United States under legal entry);

"(2) to establish and operate reception centers at or near the places of actual entry of such workers into the continental United States for the purpose of receiving and housing such workers while arrangements are being made for their employment in, or departure from, the continental United States;

"(3) to provide transportation for such workers from recruitment centers outside the continental United States to such reception centers and transportation from such reception centers to such recruitment centers after termination of employment;

"(4) to provide such workers with such subsistence, emergency medical care, and burial expenses (not exceeding \$150 burial expenses in any one case) as may be or become necessary during transportation authorized by paragraph (3) and while such workers are at reception centers;

"(5) to assist such workers and employers in negotiating contracts for agricultural employment (such workers being free to accept or decline agricultural employment with any eligible employer and to choose the type of agricultural employment they desire, and eligible employers being free to offer agricultural employment to any workers of their choice not under contract to other employers);

"(6) to guarantee the performance by employers of provisions of such contracts relating to the payment of wages or the furnishing of transportation.

"SEC. 502. No workers shall be made available under this title to any employer unless such employer enters into an agreement with the United States—

"(1) to indemnify the United States against loss by reason of its guaranty of such employer's contracts;

"(2) to reimburse the United States for essential expenses, not including salaries or expenses of regular department or agency

personnel, incurred by it for the transportation and subsistence of workers under this title in amounts not to exceed \$15 per worker; and

"(3) to pay to the United States, in any case in which a worker is not returned to the reception center in accordance with the contract entered into under section 501 (5), an amount determined by the Secretary of Labor to be equivalent to the normal cost to the employer of returning other workers from the place of employment to such reception center, less any portion thereof required to be paid by other employers.

"SEC. 503. No workers recruited under this title shall be available for employment in any area unless the Secretary of Labor has determined and certified that (1) sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed, (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed, and (3) reasonable efforts have been made to attract domestic workers for such employment at wages and standard hours of work comparable to those offered to foreign workers.

"SEC. 504. Workers recruited under this title who are not citizens of the United States shall be admitted to the United States subject to the immigration laws (or if already in, for not less than the preceding five years or by virtue of legal entry, and otherwise eligible for admission to, the United States may, pursuant to arrangements between the United States and the Republic of Mexico, be permitted to remain therein) for such time and under such conditions as may be specified by the Attorney General but, notwithstanding any other provision of law or regulation, no penalty bond shall be required which imposes liability upon any person for the failure of any such worker to depart from the United States upon termination of employment: *Provided*, That no workers shall be made available under this title to, nor shall any workers made available under this title be permitted to remain in the employ of, any employer who has in his employ any Mexican alien when such employer knows or has reasonable grounds to believe or suspect or by reasonable inquiry could have ascertained that such Mexican alien is not lawfully within the United States.

"SEC. 505. (a) Section 210 (a) (1) of the Social Security Act, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended."

"(b) Section 1426 (b) (1) of the Internal Revenue Code, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended."

"(c) Workers recruited under the provisions of this title shall not be subject to the head tax levied under section 2 of the Immigration Act of 1917 (8 U. S. C., sec. 132).

"SEC. 506. For the purposes of this title, the Secretary of Labor is authorized—

"(1) to enter into agreements with Federal and State agencies; to utilize (pursuant to such agreements) the facilities and services of such agencies; and to allocate or transfer funds or otherwise to pay or reimburse such agencies for expenses in connection therewith;

"(2) to accept and utilize voluntary and uncompensated services; and

"(3) when necessary to supplement the domestic agricultural labor force, to cooperate with the Secretary of State in negotiating

and carrying out agreements or arrangements relating to the employment in the United States, subject to the immigration laws, of agricultural workers from the Republic of Mexico.

"Sec. 507. For the purposes of this title—
 "(1) The term 'agricultural employment' includes services or activities included within the provisions of section 3 (f) of the Fair Labor Standards Act of 1938, as amended, or section 1426 (h) of the Internal Revenue Code, as amended, horticultural employment, cotton ginning, compressing and storing, crushing of oil seeds, and the packing, canning, freezing, drying, or other processing of perishable or seasonable agricultural products.

"(2) The term 'employer' shall include an association, or other group, of employers, but only if (A) those of its members for whom workers are being obtained are bound, in the event of its default, to carry out the obligations undertaken by it pursuant to section 502, or (B) the Secretary determines that such individual liability is not necessary to assure performance of such obligations.

"Sec. 508. Nothing in this act shall be construed as limiting the authority of the Attorney General, pursuant to the general immigration laws, to permit the importation of aliens of any nationality for agricultural employment as defined in section 507, or to permit any such alien who entered the United States legally to remain for the purpose of engaging in such agricultural employment under such conditions and for such time as he, the Attorney General, shall specify.

"Sec. 509. No workers will be made available under this title for employment after December 31, 1953."

And the House agree to the same.

HAROLD D. COOLEY,
 W. R. POAGE,
 GEORGE GRANT,
 CLIFFORD R. HOPE,
 AUGUST H. ANDRESEN,

Managers on the Part of the House.

ALLEN J. ELLENDER,
 CLYDE R. HOEY,
 SPESSARD L. HOLLAND,
 GEORGE D. AIKEN,
 MILTON R. YOUNG,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 984) to amend the Agricultural Act of 1949, submit the following statement in explanation of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment to the bill struck out all after the enacting clause and inserted in lieu thereof the text of the House bill, H. R. 3283, which had been adopted by the House as reported by the Committee on Agriculture.

The bill as agreed upon by the committee of conference and recommended in the accompanying report is a substitute in lieu of the amendment made by the House to the Senate bill. In the main it adopts most of the provisions of the Senate bill with the exception of Section 509, which has been eliminated from the substitute agreed upon by the committee of conference.

GENERAL STATEMENT

The purpose of this bill is to authorize and implement an agreement with Mexico under which Mexican agricultural workers may be available when needed, and when such workers are not available from the domestic labor force, to assist in growing, harvesting, and preparing for consumption crops grown in the United States. It is a

bill which is of great interest and benefit to the consumer, as well as to the farmer engaged in the production of these crops, for with the exception of cotton and sugar beets almost all of the crops on which it is expected such labor may be needed are crops such as fruits and vegetables which move directly to the consumer. If there is insufficient labor to tend or harvest these crops, causing even a temporary shortage or disruption of their movement to market, this is a situation which is certain to be felt immediately by consumers in the form of diminished supplies of such fruits and vegetables and higher prices for those which are on the market. It is essential to the stabilization of our economy that these agricultural commodities be brought to market in sufficient volume to maintain stability of supplies and prices.

Differences between the House bill and the bill agreed upon by the committee of conference and recommended in the accompanying report are explained below:

SECTION 501

The only change in this section is in subsection (1) where the committee of conference has adopted the Senate language requiring that workers eligible for employment under this bill shall be in the United States under legal entry and has added a provision which will permit also the hiring of any Mexican national who has resided in the United States for the previous five years. This will prevent the hiring of so-called "wetbacks" under the contracts authorized by this bill but will permit those Mexicans who actually have lived for many years in the United States, even though their entry might not have conformed to legal requirements, to obtain agricultural work. The committee of conference believes that this provision is necessary in essential justice to the many Mexicans who, because of the closeness of Mexico and the United States and the traditional freedom of movement across the border, may have entered the United States without complying with immigration formalities, but who have been for many years continuous and useful residents in the United States. It should be remembered that even though such Mexicans may meet the requirements of this provision and be acceptable to their American employers, they still cannot be contracted without the consent of the Mexican government.

SECTION 502

In subsection (2) the amount "\$10" is changed to "\$15."

SECTION 503

Two changes are made in this section:

(1) The committee of conference has accepted the Senate requirement that the determination as to the availability of domestic workers for agricultural purposes shall be made by the Secretary of Labor, instead of by the Regional Director, Bureau of Employment Security, United States Department of Labor for the area involved, as provided in the House bill. This appears to the committee of conference to be a relatively minor change, since the Regional Director works under and by delegation of authority from the Secretary of Labor and it is assumed by the committee of conference that, inasmuch as time is frequently of the essence in the hiring of agricultural labor and harvesting of agricultural crops, the Secretary of Labor will delegate to the Regional Director the authority to make these determinations where the time element is important and where reference to the Secretary himself would entail any measurable delay.

(2) The committee of conference also accepted the provision of the Senate bill requiring that the Secretary of Labor must certify before foreign labor may be utilized under the terms of this bill that reasonable efforts have been made to attract domestic

workers for such employment at wages and standard hours of work comparable to those offered to foreign workers.

SECTION 504

Two changes are made by the committee of conference in this section:

(1) On Page 4, Line 12 of the House bill after the word "in" the words "for not less than the preceding five years or" have been added. This is the same change made in section 501 (1) and was discussed under the amendments to that section.

(2) The conference has accepted the proviso to this section contained in the Senate bill which provides that no workers shall be made available under the terms of this bill nor permitted to remain in the employ of any employer who is using "wetback" labor.

SECTION 508

In this section the committee of conference has accepted the House language of subsection (1). This permits the employment of workers made available under the bill in various types of processing plants which are intimately related to and connected with the production of agricultural commodities and which perform functions which must be carried out before those commodities can be made available for use or consumption. Virtually all of these processing plants are located actually out in the country or in small cities and towns which are entirely rural in character. They are affected by the same labor conditions which apply to the farms, orchards, and other agricultural operations in the area. In those few instances where processing plants of this type are located in larger cities—where there might be presumed to be some supply of domestic labor available—they will be necessarily removed from agricultural areas and environments to such an extent that the required certification by the Secretary of Labor that domestic labor is not available will in most instances amount to a certification for each individual plant.

In subsection (2) of section 508 the committee of conference has adopted the Senate language which requires that associations who act as employers under the terms of this bill shall be acceptable for that purpose only if the individual members thereof are bound by the obligations made by the association or if the Secretary determines that such individual liability is not necessary.

DOUGLAS AMENDMENT

The committee of conference has eliminated from the bill section 509 of the Senate bill. It has done this on the grounds that this general revision of the immigration laws is not germane to the purpose of this bill, which is that of providing statutory authority for the use of Mexican workers under a contractual relationship between the United States and Mexico and with the workers themselves. The committee of conference is sympathetic to the objectives of eliminating the abuses which have stemmed from the employment of wetback labor. It believes that the bill reported herewith will go far in correcting that situation and that any general revision of the immigration laws which may be necessary to further improve this situation should be made by the committees of the respective Houses having a jurisdiction over that subject matter. The committee recognizes as a matter of general knowledge that such legislation is now pending in the Senate and that the appropriate committee of the House has undertaken hearings and investigations for the purpose of bringing out such legislation in the House if it is found to be necessary.

The committee believes that this bill will, in fact, do much to help solve this vexing problem. It will provide an open door through which those Mexicans who want to work in the United States can enter

and be employed here legally under terms which will safeguard their rights and their interests in the manner far better than they could ever be safeguarded under any form of illegal entry and employment. It forbids any employer who has wetback labor in his employment from obtaining assistance under the terms of this legislation. It thus makes it distinctively to the advantage of both the employer and the Mexican worker to operate on an entirely legal basis under the provisions of this bill.

HAROLD D. COOLEY,
W. R. POAGE,
GEORGE GRANT,
CLIFFORD R. HOPE,
AUG. H. ANDRESEN,

*Managers on the Part of the House
of Representatives.*

Mr. COOLEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report and that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. BROWN of Ohio. Mr. Speaker, reserving the right to object, do I understand the gentleman is asking to take up a conference report at this time?

Mr. COOLEY. Yes.

Mr. BROWN of Ohio. Will the gentleman explain what the conference report is?

Mr. COOLEY. Yes. It is a conference report on the Mexican labor bill. I might point out the concessions made by the House and Senate.

In the House bill certification in regard to the availability of labor in particular localities was required to be made in a regional office. There was some objection to that, even in the House. The Senate bill provided that the Secretary of Labor would be charged with the responsibility of making the necessary certification. The House receded in its position and accepted the provisions contained in the Senate bill.

The Secretary of Labor must first certify that there is no local labor available to perform the services which need to be performed. That certainly should be pleasing to those who were afraid that the American labor market might be impaired.

Secondly, I might call your attention to the fact that the House bill provided position costs of \$10 for the transportation of each one of the Mexican laborers and the Senate bill contained a provision for \$20. That was compromised, and the conference report indicates that the conferees agreed on \$15.

Then there was another provision in the bill in regard to the employment of wetbacks. We have agreed upon a provision which will not make available any Mexican to perform services for an employer who at the time has in his employment a wetback.

We also have a provision in the conference report which will permit wetbacks to be employed only if they have been in this country more than 5 years, and only if such employment is approved by the Mexican Government. We believe that that is a reasonable provision, for during the course of the debate it was pointed out that many, many Mexicans have been in this country for

many, many years, some of them have even married American citizens, their children are American citizens, and they have resided here for a long, long period of time, and it would be a hardship not to permit them to accept farm labor employment.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. The gentleman, I know, will state that this was a unanimous agreement of the conferees on both sides of the aisle.

Mr. COOLEY. Yes.

Mr. AUGUST H. ANDRESEN. The primary purpose of the bill is to secure adequate labor in this country to do this particular kind of work in order to secure more food in the United States in the present crisis. I want to urge that the conference report be adopted, because it is quite vital that this labor be made available for different areas in connection with the production of sugar, the canning of vegetables and fruit, and also in cotton-production areas. This labor cannot be secured in the United States, because American workers will not, as a rule, do the particular kind of stoop labor which is required in order to produce this food and fiber so necessary in the present crisis.

Mr. COOLEY. The gentleman is entirely correct. Might I say it is a unanimous conference report, and I am informed that the Senate has already agreed to the conference report and if we agree to take action, the bill will probably become law before midnight.

Mr. BROWN of Ohio. Mr. Speaker, I reserved the right to object in order that the minority members of the Committee on Agriculture and those who served on this conference committee might be present and have the opportunity to express themselves, and also that the House might have an explanation of the measure from the chairman of the Committee on Agriculture.

I withdraw my reservation of objection, Mr. Speaker.

Mr. EBERHARTER. Mr. Speaker, further reserving the right to object, of course all the Members here will recognize that there was considerable controversy over various provisions in this bill when it was before the House. As I understand, the House conferees yielded in many respects, especially on those items about which there was controversy, and on which the Members of the House expressed opposition to the bill; is that correct?

Mr. COOLEY. The gentleman is correct.

Mr. EBERHARTER. So that in many respects those who opposed the bill can be satisfied that their objections were met and have been met, and it is a much better bill, in their opinion, than when it was passed by the House.

Mr. COOLEY. Yes.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. EBERHARTER. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. As I understand, the opposition was not to the bill it-

self—there was a recognition that temporary labor in this country was necessary—but to try and improve the conditions incident to their employment.

Mr. EBERHARTER. That is correct. That is my understanding.

Mr. MCCARTHY. Mr. Speaker, will the gentleman yield?

Mr. EBERHARTER. I yield to the gentleman from Minnesota.

Mr. MCCARTHY. I would like to say to the gentleman I was surprised to hear that the agreement was unanimous, in that the provisions that we now have in the conference report are almost the same as were in the Senate bill after the Douglas amendment was stricken here on a point of order, and that bill, with the Douglas amendment, was decisively defeated in the House; so those of you who are supporting the Senate bill as a substitute I think can support this without any compunction. I wonder somewhat, however, about those who opposed the Senate bill with the Douglas amendment stricken.

Mr. SHELLEY. Mr. Speaker, will the gentleman yield?

Mr. EBERHARTER. I yield to the gentleman from California.

Mr. SHELLEY. Having played some part in the opposition to the Poage bill, and having supported the effort to substitute the Senate bill, I should like to say that the conference report is a great improvement over the Poage bill. In my humble opinion, it does not go as far as it should. I think the problem of wages and other things that should be considered in bringing these nationals in should have been gone into in this legislation. However, this conference report, since the chairman of the committee handed me a draft of it a while ago, and I have had the opportunity to read it, is nowhere near as objectionable as the Poage bill was. I frankly think it is an improvement. However, I still do not like the legislation and state now I am going to vote against adoption of the report. I do not think it is the type of legislation we should enact in this situation, even though it is an improvement over the bill originally before the House several days ago.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. EBERHARTER. I yield to the gentleman from North Carolina.

Mr. COOLEY. May I point out that the matter of wages is subject to contract. The wages are fixed and agreed upon. They must be fair, and be approved by our Government and the Government of Mexico.

Mr. SHELLEY. I cannot but comment that it seems a little ludicrous to expect the individual Mexican worker who comes in without knowledge of how to bargain or negotiate to be in a position to bargain with any American farmer who is a pretty sharp bargainer and get a real wage.

Mr. COOLEY. I want to make it clear that our own Department of Labor will have to see to it that these men are not exploited.

Mr. SHELLEY. Without determining what the prevailing rate is,

Mr. EBERHARTER. Mr. Speaker, I withdraw my reservation of objection.

Mr. HOPE. Reserving the right to object, Mr. Speaker, in reply to what the gentleman from Minnesota [Mr. McCARTHY] has just said to the effect that the conference report as agreed upon embodies most of the features that were contained in the Senate bill with the exception of the Douglas amendment, I simply want to say that at the time the Polk amendment was under consideration, I stated there were some good things in the Senate bill that I thought possibly should be adopted and I suggested that we vote down the Polk amendment and take the bill to conference. That is what was done. The conferees have come back I think with a better bill than we had before, and one that I believe should be satisfactory.

The thing about the House bill that disturbed me somewhat was the charge that the bill in the from in which it passed the House possibly would encourage wetbacks to come into this country because they could be recruited after they came in. That has been very well taken care of, I think, in that the bill as agreed upon by the conferees does not permit wetbacks to be recruited unless they have been here 5 years, and does not permit any other Mexican to be recruited unless he entered legally. That I think is a distinct improvement. I think we can defend the 5-year provision because those who have been in this country 5 years and who have not been disturbed by the Immigration Service have acquired some measure of stability and some rights that perhaps should be given consideration.

Mr. CHELF. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Kentucky.

Mr. CHELF. In allaying the fears of the gentleman from California, is it not true that these Mexicans will be paid the prevailing wage scale in the particular areas into which they come?

Mr. HOPE. That was provided in both bills, and it is contained in the bill agreed on in conference.

Mr. HAND. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from New Jersey.

Mr. HAND. I want to suggest that I supported the bill in the House, and I want to congratulate the ranking Members and the chairman and the conferees on what I think constitutes a decided improvement in the bill as it passed the House. I hope the bill will pass without objection now.

Mr. YORTY. Reserving the right to object, Mr. Speaker, I appreciate the fact that this bill is better than it was when it passed the House. I still do not regard it as a good bill because I think we have had the opportunity to do something about the wetback problem and failed.

The argument was made on the floor here the other day that we should not have a penalty provision for hiring wetbacks because if we did the farmers would be afraid to hire Americans of Mexican descent, yet in this bill it is provided that if you are using contract workers and you are caught using a wet-

back you will lose your contract workers. If you cannot tell Americans of Mexican descent from wetbacks as was argued is it not true that even under this bill the farmers will also be afraid to hire Americans of Mexican descent because if they happen to hire a wetback they will forfeit the right to use contract workers. So the whole argument about identity was purely specious and put up only by people who want to use wetbacks and do not want to be forced to use contract workers or Americans exclusively. Our failure to discourage employment of wetbacks constitutes a threat to American labor standards. Some of the gentlemen who refuse to vote a penalty for use of wetbacks would probably be willing to vote a stringent penalty to halt foreign products from flooding our markets illegally. This bill could still be considerably improved and ought to be. In spite of my strong objections at this hour I certainly would not refuse the unanimous-consent request because I do not believe in obstruction.

Mr. JACKSON of California. Mr. Speaker, reserving the right to object, I must confess to a degree of confusion with respect to the provisions of the conference report in light of the statements that are at variance from several of the representatives who represent considerable elements in the labor groups here in the House. There seems to be a decided difference of opinion as to the merits of the conference report as between the position taken by the gentleman from Pennsylvania [Mr. EBERHARTER] and the position taken by the gentleman from California [Mr. YORTY]. I should like to have someone inform me as to whether the provisions of the conference report, as presently before us, are acceptable to those elements of organized labor which have protested against the passage of such legislation.

Mr. WIER. Mr. Speaker, reserving the right to object, I had a number of amendments to offer the other day on this bill when it was before the House. But I failed to get an opportunity to offer them. Therefore, I want to make some comment, and I would, with my conscience clear, offer an objection to the unanimous-consent motion here, but I find that perhaps my offer would be of short life anyway, in view of the experience we have just had.

This bill would be passed on Monday, so I would only be delaying action on it and taking up time.

But, Mr. Speaker, I am not sold on this bill. It still contains a number of evils, the greatest of course being with reference to the wetback situation. This wetback situation is the threat to a number of defenses which were made here the other day in behalf of this legislation. The gentleman from New Mexico made an appeal on the House floor on behalf of our Latin-American citizens, as well as those of Spanish descent, who may now be termed residents of the United States. Those are the people that he was trying to keep from being penalized. The large corporate farm throughout this southern area and west coast is the one in which the Mexican is used primarily, on the border and on the west

coast. The small farmer is gradually being sunk by this imported labor, as well, and perhaps more by these wetbacks.

On the question of the wetback situation there is one weakness that perhaps this Congress is responsible for, and that is that the border down there is not policed. In your efforts to achieve economy, not only on the Mexican border, but at other ports of entry into the country, you have curtailed the policing ability of the department of immigration to do a good job. In addition to that, the wetback is encouraged, because the large farmers and corporation plantations, in both Texas and California, encourage the wetback because the wetback coming in illegally day after day and weekend after weekend has no defense when he is picked up. He dare not squawk, and dare not present any evidence of violation of law, so far as the payment of wages, or hours, or housing conditions, and so on, are concerned because having come illegally into the country he can be fully exploited without any responsibility. The minute he squawks he is turned over.

I think everybody knows that these wetbacks do cross the river every night, or every day, or whenever they want to, and go back and forth across the river. They are the threat in the whole situation so far as this very much needed labor is concerned. I think that is the point that is weak here.

So far as the labor movement is concerned, let me say this to you: Having associated myself over a long period of time with labor problems, personally I have no objection to this labor if it comes through on a contract basis and is properly policed and if these people who come into the country are on contract work and properly taken care of so far as housing and physical welfare conditions are concerned.

But the situation is so loose down there, as has been said on the floor, that out of 500,000 Mexicans who come across to do agricultural work here, 400,000 come in illegally, and 100,000 come in legally. That is the evil in the whole thing, and in that the labor movement does not subscribe and will not subscribe.

Mr. HOPE. Mr. Speaker, will the gentleman yield?

Mr. WIER. I yield.

Mr. HOPE. This bill, of course, provides a legal way in which they can come into the country and through which they can work under conditions they ought to work under. Does not the gentleman think that the passage of this bill, affording as it does this legal opportunity and method of coming in, will of itself do a great deal to do away with the situation where there was previously no way by which this labor could come in, and no way by which they could work in this country except illegally?

Mr. WIER. That is the point I tried to make, that the weakness of this legislation, and the weakness of the program is that the back door is wide open for the illegal entry of these people.

Mr. HOPE. Before this bill you had no door, except the back door, and now you have a front door by which they can

come in, and I think they will come in in that legal way provided in this bill.

Mr. WIER. Mr. Speaker, in view of the fact that I would gain very little except take up some of the very valuable time of the House which I know the Members are interested in using on other matters, I will withdraw my reservation and say that I am not happy about this legislation as a member of the Committee on Labor. Let me say, however, that this bill got off to a bad start. If it had been referred to the proper committee, the Committee on Labor and Education, we might have fixed some of these weak spots.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the statement.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT

The SPEAKER. The Chair recognizes the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, the conferees are now meeting on the temporary appropriations resolution. In view of that I think it would be well for the Speaker to declare another recess to await the report of the conferees.

The SPEAKER. The Chair trusts the gentleman will urge the Members to stay within reach of the bells.

Mr. McCORMACK. Expressly I urge the Members to stay here until we definitely know what can be done.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. BROWN of Ohio. In all probability there are only one or two questions at issue now in the conference report; is that correct?

Mr. McCORMACK. Probably three of a principal nature.

Mr. BROWN of Ohio. And in all probability the conferees could reach an agreement soon.

Mr. McCORMACK. I prefer not to express an opinion on that, but I can assure the membership that the leadership will keep in close touch with the conferees and will cooperate with the membership of the House in securing as expeditious action as possible.

Mr. BROWN of Ohio. And the membership of the House will at least meet their own responsibility if they stay here a while and give the conferees an opportunity to bring back a report.

RECESS

The SPEAKER. The Chair declares a recess subject to the call of the Chair. The bells will be rung 15 minutes before the House reassembles.

Thereupon (at 4 o'clock and 39 minutes p. m.) the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired (at 7 o'clock and 37 minutes p. m.), the House was called to order by the Speaker.

TEMPORARY APPROPRIATIONS, 1952

Mr. CANNON submitted the following conference report and statement on the resolution (H. J. Res. 277) making temporary appropriations for the fiscal year 1952, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 669)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 277) "making temporary appropriations for the fiscal year 1952, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 6.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 8, and 9, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be stricken out and inserted by the said amendment, insert the following: "(e) Such amounts (but not to exceed \$2,500,000 for International Development) as may be necessary for the carrying out, at a rate not in excess of that which obtained in the fourth quarter of the fiscal year 1951, of projects and activities under applicable appropriations as follows:"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: "(not to exceed \$145,000,000)"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: "and, in addition to the amounts herein appropriated, funds heretofore appropriated for Mutual Defense Assistance, Economic Cooperation (to be available only for the purposes of the "India Emergency Food Aid Act of 1951"), and China Area Aid shall remain available (but not beyond the limiting date specified in clause (c) of section 4) for programs, projects, and activities initiated prior to July 1, 1951."; and the Senate agree to the same.

CLARENCE CANNON,
JOHN J. ROONEY,
J. VAUGHAN GARY,
KARL STEFAN,
CLIFF CLEVINGER,

Managers on the Part of the House.

KENNETH MCKELLAR,
CARL HAYDEN,
PAT MCCARRAN,
HOMER FERGUSON,
KENNETH S. WHERRY,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 277) making temporary appropriations for the fiscal year 1952, and for other pur-

poses, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Amendment No. 1, bases available funds on first quarter (except Department of Defense) as proposed by the Senate instead of fourth quarter as proposed by the House.

Amendments Nos. 2 and 3, restrict obligations by Department of Defense to not in excess of fifty percent more than provided in fourth quarter of fiscal year 1951 as proposed by the Senate.

Amendments Nos. 4, 5, and 6, provide for Mutual Defense, Economic Cooperation, China Area Aid, International Development and Institute of Inter-American Affairs as proposed by the House but limits amount for Economic Cooperation to \$145,000,000 and International Development to \$2,500,000.

Amendment No. 7, reappropriates funds as proposed by the House but provides that funds reappropriated for Economic Cooperation shall be available only for the purposes of the Indian Emergency Food Aid Act.

Amendment No. 8, bases funds available to the District of Columbia on the first quarter as proposed by the Senate instead of the fourth quarter as proposed by the House.

Amendment No. 9, restricts purchases of passenger carrying vehicles as proposed by the Senate.

CLARENCE CANNON,
JOHN J. ROONEY,
J. VAUGHAN GARY,
KARL STEFAN,
CLIFF CLEVINGER,

Managers on the Part of the House.

Mr. CANNON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the statement.

Mr. CANNON. Mr. Speaker, this statement embodies a complete agreement on all items in disagreement between the two Houses. The conference report is approved and signed by all managers on the part of the House and all managers on the part of the Senate. It was a very satisfactory conference, and the report here submitted meets with the approval of all conferees, both of the House and the Senate.

Mr. Speaker, I yield to the gentleman from Nebraska.

Mr. STEFAN. Mr. Speaker, this report is agreeable to the minority members of the conference committee and to most Members on this side of the aisle. I feel that the resolution as adopted by the conferees is a great improvement over the House resolution. There is considerable savings in it, and I think we protect the military and all defense because it allows them the same rate of expenditure as was allowed for the fourth quarter, but it leaves expenditures of other governmental activities on the basis of the first quarter. The minority would have offered some of these helpful amendments if the closed rule had not been adopted.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I have asked for this time to urge all Members to support this conference report. I have also asked for this time to point out that the difficulty in which we found ourselves today was to a great extent absolutely unnecessary.

Two days ago we had before this House a rule to consider the resolution which is now before us. That rule was a gag rule which prohibited the membership of this House from working its will on this particular resolution. By the narrow margin of four votes, that closed or gag rule which shut off the offering of amendments was adopted by the House. Had that rule been defeated, as I announced at that time, I would have then offered an amendment to the rule that would have stricken out the gag portion of the resolution and permitted amendments to the joint resolution, and in turn would have allowed us, the elected representatives of the people in the House of Representatives, to speak the true wishes of the American people. As the gentleman from New York [Mr. TABER] so ably pointed out during general debate on the resolution, had there been an opportunity to offer amendments to the resolution, most of the amendments which were written into it by the other body would, at least, in substance, been presented to the House and, in my opinion, would have been adopted. As a result of the gag or the closed rule, we did not have the opportunity to offer or vote on those amendments.

The resolution went to the other body, where amendments similar in substance to those we expected and desired to offer in the House were written into the resolution. I am happy to say that the substance of most of those amendments that were adopted in the other body are included in the conference report. In fact, it seems to me, Mr. Speaker, that the conference report strengthens the amendments which were offered in the other body and even goes further in carrying out the desire that we in the minority had for original action here in the House than anything that I have seen in a legislative way for a long time.

Perhaps we should draw a lesson from that which has happened, because we have just caused ourselves a great deal of trouble. We found if we adopt a gag rule shutting off debate here in the House on an important matter such as this, that the other body where they have free debate and free opportunity to offer amendments does act and does carry out the real demand of the taxpayers that the Congress take some concrete action in stopping the Federal Government from dissipating the taxpayer's money on nondefense items. They have acted in this case and they have reported through this conference committee a much better resolution than we had here in the House as originally adopted and I am hoping each and every Member of the body can now support this resolution.

Mr. CANNON. Mr. Speaker, the ideal system of legislative procedure has two primary objectives—to protect the rights

of the minority and, as the distinguished Parliamentarian of the House, Mr. Deschler, well says in the preface to the House Manual, to permit a majority to work its will in the face of the opposition of an obstructive minority.

Mr. Speaker, we always invite the cooperation of the minority. But where obstruction replaces cooperation the rules of the House confer on the majority not only the right but the duty of enacting needed legislation, regardless of that obstruction.

Certainly the occasion warrants the exercise of that duty. And certainly the action of the majority in adopting the rule referred to by the gentleman from Ohio [Mr. BROWN] is warranted and vindicated here this afternoon.

Here in the closing hours of the fiscal year, with the deadline only 4 hours away, when the minority has interposed every possible obstacle to the orderly consideration of a continuing resolution, although such resolutions have for time immemorial been passed by general consent, the majority has no choice but to employ the previous question or any other procedure necessary to continue the operation of the Government for the next 30 days.

But the gentleman goes even further and makes the astounding statement that the conference report before the House conforms to the Senate amendments. Nothing could be further from the facts, as even a cursory reading of the report and the statement will indicate.

The report before the House is—in its major provisions—the resolution passed by the House and messaged to the Senate. Only in such minor respects as changes from one quarter to another, limitation of ECA appropriations to \$145,000,000, and technical assistance programs to \$2,500,000, did the House accede to the Senate.

In the essential features of the continuing resolution, such as reduction of mutual defense assistance from \$900,000,000 to \$250,000,000 attempted by the Senate, reduction of China area aid, Formosa, and southwest Asia, by something like 80 percent, elimination of \$456,000,000 of unobligated balances for foreign aid purposes, reduction of support for the Institute of Inter-American Affairs, drastic changes which would have left General Eisenhower's forces without critical equipment and imperiled the success of our efforts to unite the free nations of Europe and bring about permanent peace, the Senate yielded. And the resolution as it goes to the President is so predominantly the House version, that we can be assured it will meet with the President's approval.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from New York.

Mr. ROONEY. Would not the very fact that the result in defeating the opponents of the Eisenhower plan in their attempt to continue the flow of funds to General Eisenhower, in order to prevail upon the countries of Western Europe to ban together in a common defense against communism, justify the

procedure taken in the past 2 days? In the action now before the House those opponents of the Eisenhower plan have been defeated thoroughly and decisively.

Mr. CANNON. Unquestionably. The Senate amendments cut the Eisenhower program and the Eisenhower funds to less than one-third of those provided by the House. The extent to which the other body went, in its efforts to strip the resolution, is apparent when it is remembered that the amendment proposed by the minority when the measure was before the House, proposed to reduce General Eisenhower's funds only one-third of the high quarter, whereas the Senate amendments, rejected in the pending conference report, proposed to reduce them two-thirds of the low quarter.

At this crucial hour in international relations, when General Eisenhower is winning the support and confidence of all European allies, this conference report prevents interference with his program by rejecting the Senate amendments and providing the full amount carried by the resolution as it passed the House and went to the Senate.

Mr. BUSBEY. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Illinois.

Mr. BUSBEY. I would like to ask the distinguished chairman of our Committee on Appropriations to clarify a situation which troubles me. I received the impression from the gentleman from Ohio, representing the minority, that in this conference report practically everything was in it that the Senate had written into it. Now I get the impression from the gentleman from Missouri that the conference report does not include what the Senate wanted or what the House wanted in it. I would like to have a little clarification now.

Mr. CANNON. The gentleman need not listen to either the gentleman from Ohio or the gentleman from Missouri. All that it is necessary for him to do to understand the situation fully, is to examine the statement just read from the desk.

Mr. Speaker, unless someone else desires to be heard, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

Mr. H. CARL ANDERSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 256, nays 12, answered "present" 1, not voting 163, as follows:

[Roll No. 100]

YEAS—256

Aandahl	Aspinall	Berry
Abernethy	Auchincloss	Betts
Adair	Baker	Blackney
Addonizio	Baring	Blatnik
Albert	Barrett	Bosone
Allen, Calif.	Bates, Mass.	Bow
Andersen,	Battle	Boykin
H. Carl	Beamer	Bramblett
Andresen,	Beckworth	Brehm
August H.	Belcher	Brown, Ga.
Andrews	Bennett, Fla.	Brown, Ohio
Ansuso	Bennett, Mich.	Brownson
Angell	Bentsen	Budge

Public Law 78 - 82d Congress
Chapter 223 - 1st Session
S. 984

AN ACT

To amend the Agricultural Act of 1949.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Act of 1949 is amended by adding at the end thereof a new title to read as follows:

"TITLE V—AGRICULTURAL WORKERS

"SEC. 501. For the purpose of assisting in such production of agricultural commodities and products as the Secretary of Agriculture deems necessary, by supplying agricultural workers from the Republic of Mexico (pursuant to arrangements between the United States and the Republic of Mexico), the Secretary of Labor is authorized—

"(1) to recruit such workers (including any such workers who have resided in the United States for the preceding five years, or who are temporarily in the United States under legal entry);

"(2) to establish and operate reception centers at or near the places of actual entry of such workers into the continental United States for the purpose of receiving and housing such workers while arrangements are being made for their employment in, or departure from, the continental United States;

"(3) to provide transportation for such workers from recruitment centers outside the continental United States to such reception centers and transportation from such reception centers to such recruitment centers after termination of employment;

"(4) to provide such workers with such subsistence, emergency medical care, and burial expenses (not exceeding \$150 burial expenses in any one case) as may be or become necessary during transportation authorized by paragraph (3) and while such workers are at reception centers;

"(5) to assist such workers and employers in negotiating contracts for agricultural employment (such workers being free to accept or decline agricultural employment with any eligible employer and to choose the type of agricultural employment they desire, and eligible employers being free to offer agricultural employment to any workers of their choice not under contract to other employers);

"(6) to guarantee the performance by employers of provisions of such contracts relating to the payment of wages or the furnishing of transportation.

"SEC. 502. No workers shall be made available under this title to any employer unless such employer enters into an agreement with the United States—

"(1) to indemnify the United States against loss by reason of its guaranty of such employer's contracts;

"(2) to reimburse the United States for essential expenses, not including salaries or expenses of regular department or agency personnel, incurred by it for the transportation and subsistence of workers under this title in amounts not to exceed \$15 per worker; and

"(3) to pay to the United States, in any case in which a worker is not returned to the reception center in accordance with the contract entered into under section 501 (5), an amount determined by the Secretary of Labor to be equivalent to the normal cost to the employer of returning other workers from the place of

employment to such reception center, less any portion thereof required to be paid by other employers.

"SEC. 503. No workers recruited under this title shall be available for employment in any area unless the Secretary of Labor has determined and certified that (1) sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed, (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed, and (3) reasonable efforts have been made to attract domestic workers for such employment at wages and standard hours of work comparable to those offered to foreign workers.

"SEC. 504. Workers recruited under this title who are not citizens of the United States shall be admitted to the United States subject to the immigration laws (or if already in, for not less than the preceding five years or by virtue of legal entry, and otherwise eligible for admission to, the United States may, pursuant to arrangements between the United States and the Republic of Mexico, be permitted to remain therein) for such time and under such conditions as may be specified by the Attorney General but, notwithstanding any other provision of law or regulation, no penalty bond shall be required which imposes liability upon any person for the failure of any such worker to depart from the United States upon termination of employment: *Provided*, That no workers shall be made available under this title to, nor shall any workers made available under this title be permitted to remain in the employ of, any employer who has in his employ any Mexican alien when such employer knows or has reasonable grounds to believe or suspect or by reasonable inquiry could have ascertained that such Mexican alien is not lawfully within the United States.

"SEC. 505. (a) Section 210 (a) (1) of the Social Security Act, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended."

"(b) Section 1426 (b) (1) of the Internal Revenue Code, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended."

"(c) Workers recruited under the provisions of this title shall not be subject to the head tax levied under section 2 of the Immigration Act of 1917 (8 U. S. C., sec. 132).

"SEC. 506. For the purposes of this title, the Secretary of Labor is authorized—

"(1) to enter into agreements with Federal and State agencies; to utilize (pursuant to such agreements) the facilities and services of such agencies; and to allocate or transfer funds or otherwise to pay or reimburse such agencies for expenses in connection therewith;

"(2) to accept and utilize voluntary and uncompensated services; and

"(3) when necessary to supplement the domestic agricultural labor force, to cooperate with the Secretary of State in negotiating and carrying out agreements or arrangements relating to the employment in the United States, subject to the immigration laws, of agricultural workers from the Republic of Mexico.

"SEC. 507. For the purposes of this title—

"(1) The term 'agricultural employment' includes services or activities included within the provisions of section 3 (f) of the Fair Labor Standards Act of 1938, as amended, or section 1426 (h) of the Internal Revenue Code, as amended, horticultural employment, cotton ginning, compressing and storing, crushing of oil seeds, and the packing, canning, freezing, drying, or other processing of perishable or seasonable agricultural products.

"(2) The term 'employer' shall include an association, or other group, of employers, but only if (A) those of its members for whom workers are being obtained are bound, in the event of its default, to carry out the obligations undertaken by it pursuant to section 502, or (B) the Secretary determines that such individual liability is not necessary to assure performance of such obligations.

"SEC. 508. Nothing in this Act shall be construed as limiting the authority of the Attorney General, pursuant to the general immigration laws, to permit the importation of aliens of any nationality for agricultural employment as defined in section 507, or to permit any such alien who entered the United States legally to remain for the purpose of engaging in such agricultural employment under such conditions and for such time as he, the Attorney General, shall specify.

"SEC. 509. No workers will be made available under this title for employment after December 31, 1953."

Approved July 12, 1951.

RECOMMENDATIONS SUPPLEMENTING THE PROVISIONS
OF S. 984

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

RECOMMENDATIONS SUPPLEMENTING THE PROVISIONS OF S. 984,
AN ACT RELATING TO THE RECRUITMENT AND EMPLOYMENT
OF AGRICULTURAL WORKERS FROM MEXICO

JULY 13, 1951.—Referred to the Committee on the Judiciary and ordered to be
printed

To the Congress of the United States:

I have approved S. 984, an act relating to the recruitment and employment of agricultural workers from Mexico.

If promptly followed up by other needed measures, this act can be a first step toward a comprehensive program to bring badly needed improvements in the living and working conditions of migratory farm workers, both foreign and domestic. At the same time, this act can help to assure an adequate supply of labor to meet the needs of American agriculture. On the other hand, if enactment of this legislation becomes an excuse for delay on these other measures, it will hamper our efforts to meet more basic problems, including the pressing problem of illegal immigration.

For that reason I could not have given my approval to this act had I not been assured by congressional leaders that supplementary legislation and appropriations would receive prompt consideration at this session.

For many years the Mexican Government, by agreement with the United States, has allowed its citizens to come into this country on contracts with agricultural employers to assist in harvesting vital crops—principally cotton, sugar beets, citrus fruits, and vegetables—and mostly in the southwestern part of the United States.

During and since the last war, the recurrent shortages of farm labor in the United States have made the addition of contract workers from

Mexico a vital factor in bringing in the crops. Last year, for example, 70,000 Mexican workers were legally admitted to this country for contract work during the harvesting season.

However, both this Government and the Mexican Government have become increasingly concerned about violations of the contract terms under which Mexican citizens are employed in this country. We must make sure that contract wages will in fact be paid, that transportation within this country and adequate reception centers for Mexican workers will in fact be provided. It is necessary, therefore, that this Government be able to stand behind all contracts and guarantee performance in the future, if any more Mexican citizens are to be legally recruited for work in the United States. Until this can be done, Mexico has taken steps to terminate the agreement under which her citizens were brought to this country in the past and will make a new agreement only if these guaranties are given.

It is the purpose of S. 984 to give this Government the authority needed to make a mutually satisfactory new agreement with Mexico, which would include these guaranties. Under the terms of this act the United States Government, subject to a fixed reimbursement by the employer, will be able to recruit and transport Mexican workers to reception centers in this country, to house and care for these workers until they are employed, to help them make arrangements with American employers, and to guarantee performance by employers of the terms of their employment contracts.

With this authority, it should be possible to reach a new agreement with Mexico. This act will thus take care of one immediate problem, the harvesting of crops this year. It will also undoubtedly improve the situation of Mexican workers brought into this country for contract work. A government-to-government guaranty of wages and work standards for these workers will be a real step forward.

But this is a very limited progress, which hardly touches our basic farm-labor problems. The really crucial point, which this act scarcely faces, is the steady stream of illegal immigrants from Mexico, the so-called wetbacks, who cross the Rio Grande or the western stretches of our long border, in search of employment. These people are coming into our country in phenomenal numbers, and at an increasing rate. Last year 500,000 illegal immigrants were apprehended and returned to Mexico. In 1949 less than 300,000 were returned.

There are many thousands of these people who have escaped detection and remain in this country today. Thousands more will find their way here before the year is out. Since these unfortunate people are here illegally, they are subject to deportation if caught by our immigration authorities. They have to hide and yet must work to live. They are thus in no position to bargain with those who might choose to exploit them.

And many of them are exploited, I regret to say, and are left in abject poverty. They live always under the threat of exposure and deportation. They are unable, therefore, to protest or to protect themselves.

The presence of these illegal workers has a seriously depressing effect on wages and working conditions in farm areas throughout the Southwest. The standards of living and job opportunities of American farm workers are under constant downward pressure. Thou-

sands of our own citizens, particularly those of Latin descent, are displaced from employment or forced to work under substandard conditions because of the competition of these illegal immigrants.

Everyone suffers from the presence of these illegal immigrants in the community. They themselves are hurt, first of all. Our own workers, as well as the legal contract workers from Mexico, are hurt by the lowering of working and living standards. And the farmers are hurt, too. Instead of a well-trained, reliable supply of workers, they are increasingly dependent on a rapidly shifting, ill-trained domestic labor force, supplemented legally or illegally from foreign sources. They face a crisis in their labor supply at every season. They are forced, year after year, to makeshift last-minute measures to save their crops.

The President's Commission on Migratory Labor, in its recent report on the situation throughout the Nation, put the issue this way:

Shall we continue indefinitely to have low work standards and conditions of employment in agriculture thus depending on the underprivileged and the unfortunate at home and abroad to supply and replenish our seasonal and migratory work force? Or shall we do in agriculture what we already have done in other sectors of our economy—create honest-to-goodness jobs which will offer a decent living so that domestic workers, without being forced by dire necessity, will be willing to stay in agriculture and become a dependable labor supply? Just as farm employers want able and willing workers when needed, so do workers want reliable jobs which yield a fair living. Neither is being satisfied.

S. 984 does not face up to that basic issue.

The act does, it is true, provide that Mexican workers may not legally be brought in unless the Secretary of Labor certifies a real shortage of domestic workers. The act also provides that employment of Mexican contract labor must not adversely affect wages or working conditions of domestic workers. But these safeguards have little meaning so long as illegal immigration continues, so long as illegal workers are in fact used by American employers to take the place of other workers.

If we are to begin to meet the basic problem, we must do two things right away: First, we must put a stop to the employment of illegal immigrants. Second, we must improve the use of our domestic labor force. These steps will require more sanctions than our laws now provide and more administrative machinery and services than are now available. Therefore, I recommend that the Congress take the following action:

First, legislation should be enacted providing punishment for the offense of harboring or concealing aliens who have entered this country illegally. While we have a law on the books purporting to make this an offense, that law is not enforceable, because no penalty was adequately provided. This should be remedied at once. In addition, to help discourage the smuggling of aliens, the existing provisions of law punishing transportation of illegal immigrants must be strengthened. While such legislation will be very useful in bringing illegal immigration from Mexico under control, it will also be a valuable addition to our general immigration laws.

Second, legislation should be enacted to clearly establish the authority of personnel of the Immigration and Naturalization Service to inspect places of employment, without a warrant, where they have reason to believe that illegal immigrants are working or quartered. Immigration inspectors are able to cope with known illegal immigrants

by obtaining warrants for their arrest. But where there are places of employment, consisting of many acres of land on which many workers are employed and quartered, inspection is necessary to find out whether illegal immigrants are among those workers. The inspections would involve no more, and probably a good deal less, than inspections of mines or factories by public authorities to assure compliance with accident-prevention laws. Of course, a farmer's dwelling should be safe from search without a warrant. But there is no reason why other premises which serve as places of employment should not be open for inspection to aid in the enforcement of our immigration laws.

Third, a supplemental appropriation should be made available immediately to the Immigration and Naturalization Service to expand its personnel in the Southwest so that all types of enforcement work can be stepped up, including apprehension, investigation, and deportation of illegal entrants. I shall shortly send a budget estimate for this purpose to the Congress.

It is absolutely impossible, without the expenditure of very large amounts of manpower and money, to seal off our long land borders to all illegal immigration. But these three actions by the Congress will give us the tools we need to find and deport illegal immigrants once here and to discourage those of our own citizens who are aiding and abetting their movement into the country.

In this connection, I am glad to report that the Government of Mexico is contemplating more stringent measures on its own account to help curtail illegal crossings of our border.

As a fourth measure for immediate congressional action, I shall shortly forward to the Congress a supplemental budget estimate for the Farm Placement Service of the Labor Department.

It is not enough to take strong action against the stream of illegal immigrants. If we are to make real progress toward solving our basic farm-labor problem, we must improve the utilization of our own citizens in the farm-labor force, and reduce to a minimum our dependence on foreign sources. As a first step, we need at once to strengthen the machinery of the Department of Labor for surveying labor-market needs and recruiting workers to fill these needs. This will be essential if we are to do an effective job under S. 984, in deciding how many contract workers to bring across the border and where they ought to be employed. It will be essential if we are to make this importation of foreign workers truly supplemental to our own resources of farm labor and give the fullest opportunity to those of our citizens who seek employment on the farm.

The additional funds for the Farm Placement Service will be used to expand labor-market studies which will be undertaken in cooperation with the Department of Agriculture. These funds will also permit an expansion of the field staff in rural areas, where large-scale employment of farm labor is required. The aim in these areas will be to find out exactly what workers are needed and find the right workers to do the job.

Finally, these funds will be used to expand the Government's operations in the manner required under S. 984, including transportation and reception of Mexican workers, inspection of contract operations, and handling of complaints.

Unless all of these activities of the Farm Placement Service can be built up quickly and effectively, orderly operations under S. 984

will be impossible and we will lose the chance to make full use of our domestic supply of farm workers or to determine on a realistic basis our need for workers from abroad.

These four measures, supplementing the provisions of S. 984, will give us a real program with which to tackle the basic problems of farm labor in the Southwest. They will help us also to make a start in other areas where agriculture is dependent on large-scale use of migratory workers.

There is one provision of S. 984 which could interfere quite seriously with our efforts to maintain labor standards in this country. This is the provision which so defines agricultural employment as to allow the Secretary of Labor to bring in Mexican workers for employment in food-processing trades as well as on the farm. It is essential that we keep the importation of Mexican workers from reducing the job opportunities or working conditions of our own citizens employed in these trades. To that end, I believe the Congress should repeal this provision. In the meantime, it will be necessary for the Secretary of Labor to use his discretion with great care and to authorize the employment of Mexican workers in these trades only in case of some genuine, unmistakable emergency.

The measures which I am now recommending to the Congress will not take care of all our problems by any means. The President's Commission on Migratory Labor, a group of distinguished citizens, recently completed an extensive investigation of migratory labor problems throughout the country. The Commission's report was submitted 2 months ago and is being intensively studied within the executive branch. It is a very useful and constructive document and it emphasizes, among other things, that the migratory workers in this country will need specially adapted programs to improve housing conditions and health, education, and social security. They will need these things if they are to develop into the kind of labor force so badly needed in agriculture today—a labor force which really meets the long-run requirements of large-scale “industrialized” farm production.

From time to time, therefore, as the report of this Commission is studied and appraised, I intend to send further recommendations to the Congress, looking toward more improvements in the working conditions and living standards of our migrant workers. Meanwhile, it is my earnest hope that the Congress will lose no time in acting on the recommendations outlined in this message.

THE WHITE HOUSE, *July 13, 1951.*



INFORMATION CONCERNING ENTRY OF MEXICAN AGRICULTURAL WORKERS TO UNITED STATES

Public Law 78, 82d Congress

Agreement Between Governments of United States
and Mexico Concerning Migrant Labor
Approved August 1951

INDIVIDUAL WORK CONTRACT



BUREAU OF EMPLOYMENT SECURITY
FARM PLACEMENT SERVICE

AN ACT

To amend the Agricultural Act of 1949.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Act of 1949 is amended by adding at the end thereof a new title to read as follows:

“TITLE V—AGRICULTURAL WORKERS

“SEC. 501. For the purpose of assisting in such production of agricultural commodities and products as the Secretary of Agriculture deems necessary, by supplying agricultural workers from the Republic of Mexico (pursuant to arrangements between the United States and the Republic of Mexico), the Secretary of Labor is authorized—

“(1) to recruit such workers (including any such workers who have resided in the United States for the preceding five years, or who are temporarily in the United States under legal entry);

“(2) to establish and operate reception centers at or near the places of actual entry of such workers into the continental United States for the purpose of receiving and housing such workers while arrangements are being made for their employment in, or departure from, the continental United States;

“(3) to provide transportation for such workers from recruitment centers outside the continental United States to such reception centers and transportation from such reception centers to such recruitment centers after termination of employment;

“(4) to provide such workers with such subsistence, emergency medical care, and burial expenses (not exceeding \$150 burial expenses in any one case) as may be or become necessary during transportation authorized by paragraph (3) and while such workers are at reception centers;

“(5) to assist such workers and employers in negotiating contracts for agricultural employment (such workers being free to accept or decline agricultural employment with any eligible employer and to choose the type of agricultural employment they desire, and eligible employers being free to offer agricultural employment to any workers of their choice not under contract to other employers);

“(6) to guarantee the performance by employers of provisions of such contracts relating to the payment of wages or the furnishing of transportation.

“SEC. 502. No workers shall be made available under this title to any employer unless such employer enters into an agreement with the United States—

“(1) to indemnify the United States against loss by reason of its guaranty of such employer's contracts;

“(2) to reimburse the United States for essential expenses, not including salaries or expenses of regular department or agency personnel, incurred by it for the transportation and subsistence of workers under this title in amounts not to exceed \$15 per worker; and

“(3) to pay to the United States, in any case in which a worker is not returned to the reception center in accordance with the contract entered into under section 501 (5), an amount determined by the Secretary of Labor to be equivalent to the normal cost to the employer of returning other workers from the place of employment to such reception center, less any portion thereof required to be paid by other employers.

“SEC. 503. No workers recruited under this title shall be available for employment in any area unless the Secretary of Labor has determined and certified that (1) sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed, (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed, and (3) reasonable efforts have been made to attract domestic workers for such employment at wages and standard hours of work comparable to those offered to foreign workers.

“SEC. 504. Workers recruited under this title who are not citizens of the United States shall be admitted to the United States subject to the immigration laws (or if already in,

for not less than the preceding five years or by virtue of legal entry, and otherwise eligible for admission to, the United States may, pursuant to arrangements between the United States and the Republic of Mexico, be permitted to remain therein) for such time and under such conditions as may be specified by the Attorney General but, notwithstanding any other provision of law or regulation, no penalty bond shall be required which imposes liability upon any person for the failure of any such worker to depart from the United States upon termination of employment: *Provided*, That no workers shall be made available under this title to, nor shall any workers made available under this title be permitted to remain in the employ of, any employer who has in his employ any Mexican alien when such employer knows or has reasonable grounds to believe or suspect or by reasonable inquiry could have ascertained that such Mexican alien is not lawfully within the United States.

"Sec. 505. (a) Section 210 (a) (1) of the Social Security Act, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended.'

"(b) Section 1426 (b) (1) of the Internal Revenue Code, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended.'

"(c) Workers recruited under the provisions of this title shall not be subject to the head tax levied under section 2 of the Immigration Act of 1917 (8 U. S. C., sec. 132).

"Sec. 506. For the purposes of this title, the Secretary of Labor is authorized—

"(1) to enter into agreements with Federal and State agencies; to utilize (pursuant to such agreements) the facilities and services of such agencies; and to allocate or transfer funds or otherwise to pay or reimburse such agencies for expenses in connection therewith;

"(2) to accept and utilize voluntary and uncompensated services; and

"(3) when necessary to supplement the domestic agricultural labor force, to cooperate with the Secretary of State in negotiating and carrying out agreements or arrangements relating to the employment in the United States, subject to the immigration laws, of agricultural workers from the Republic of Mexico.

"Sec. 507. For the purposes of this title—

"(1) The term 'agricultural employment' includes services or activities included within the provisions of section 3 (f) of the Fair Labor Standards Act of 1938, as amended, or section 1426 (h) of the Internal Revenue Code, as amended, horticultural employment, cotton ginning, compressing and storing, crushing of oil seeds, and the packing, canning, freezing, drying, or other processing of perishable or seasonable agricultural products.

"(2) The term 'employer' shall include an association, or other group, of employers, but only if (A) those of its members for whom workers are being obtained are bound, in the event of its default, to carry out the obligations undertaken by it pursuant to section 502, or (B) the Secretary determines that such individual liability is not necessary to assure performance of such obligations.

"Sec. 508. Nothing in this Act shall be construed as limiting the authority of the Attorney General, pursuant to the general immigration laws, to permit the importation of aliens of any nationality for agricultural employment as defined in section 507, or to permit any such alien who entered the United States legally to remain for the purpose of engaging in such agricultural employment under such conditions and for such time as he, the Attorney General, shall specify.

"Sec. 509. No workers will be made available under this title for employment after December 31, 1953."

Approved July 12, 1951.

MIGRANT LABOR AGREEMENT OF 1951

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MIGRANT LABOR AGREEMENT OF 1951

INTRODUCTION

The Government of the United States of America and the Government of Mexico, desiring that employment of Mexican agricultural workers who may be needed in the United States shall be carried out under conditions consistent with the interests of both countries, and seeking to establish an orderly program for the employment of such workers that will be in harmony with the spirit of understanding and cooperation that characterizes the relations between them, hereby agree as follows:

Article 1

DEFINITIONS

As used in this Agreement, the term:

a) "Mexican Worker" means a Mexican national, not a resident of the United States of America, who is legally admitted to that country for temporary employment in agriculture in accordance with the terms of this Agreement.

b) "Employer" means:

(1) The operator of agricultural property who is engaged in agriculture, as defined in this Article;

(2) An association or other group of employers but only if those of its members for whom Mexican Workers are being obtained are bound, in the event of its default, to carry out the obligations undertaken by it pursuant to the provisions of this Agreement and Work Contract, unless the Secretary of Labor of the United States determines that such individual liability is not necessary to assure performance of such obligations; or

(3) Processors of agricultural products when they obtain Mexican Workers for employment in agriculture, if the processor has contracted to purchase in whole or in part the crop on which the Mexican Worker is to be employed;

c) "Wages" means all forms of remuneration to a Mexican Worker by an Employer for personal services including, but not limited to, subsistence, incentive payments, Employer contributions to or payments of insurance benefits, Employer contributions to a pension fund or annuity, and payments in kind.

d) "Agriculture" means:

(1) Cultivation and tillage of the soil, planting, production, cultivation, growing, and harvesting of any agricultural or horticultural commodities and any practices (including any forestry or lumbering operations) performed by a farmer or on a farm as an

incident to or in conjunction with such farming operations, including preparations for market, delivery to storage, or to market, or to a carrier for transportation to market;

(2) The maintenance of a farm and its tools and equipment, or salvaging of timber or clearing land of brush and other debris left by a hurricane, if the major part of such service is performed on a farm;

(3) The maintenance of ditches, canals, reservoirs, or waterways, not owned or operated for profit and used exclusively for supplying or storing water for farming purposes, and cotton ginning.

(4) Handling, drying, packing, packaging, processing, freezing, grading, or storing, in its unmanufactured state any agricultural or horticultural commodity for the operator of a farm; but only if such operator produced more than one-half of the commodity with respect to which the service is performed;

(5) All of the activities described in (4) for a group of operators of farms, but only if such operators produced the commodities with respect to which such activities are performed;

(6) The provisions of (4) and (5) shall not be applicable with respect to services performed in connection with commercial canning or commercial freezing, or in connection with any agricultural or horticultural commodities, after their delivery to a terminal market for distribution for consumption.

e) "Migratory Station" means an office established by the Government of Mexico within its territory where the selection of Mexican Workers is made and to which they will return when their contracts have terminated.

f) "Reception Center" means an office established by the Government of the United States of America within its territory to which a Mexican Worker selected at a Migratory Station is brought to be contracted for by an Employer and to which he will return from his place of employment upon termination of his contract in order that he may be returned to the Migratory Station from which he came.

g) "Secretary of Labor" means the Secretary of Labor of the United States or his duly authorized representative.

h) "Personal Injury" means Personal Injury arising out of and in the course of the employment of a Mexican Worker.

i) "Disease" means any Disease which is contracted in the course of a Mexican Worker's employment and is directly attributable to the work in which he is engaged.

Article 2

NEGOTIATIONS BY GOVERNMENTS

All negotiations relating to any aspects of the program which is the subject of this Agreement shall be carried out exclusively between the two Governments.

Article 3

PRESENTING REQUESTS FOR WORKERS

At least thirty days prior to the date on which it is desired to have Mexican Workers recruited, the Secretary of Labor will advise the Mexican Government of the estimated number required. The estimates may be revised to conform to changes in agricultural needs and such revisions shall be communicated promptly to the Mexican Government.

The Mexican Government will consider these estimates in the light of Mexico's current needs for agricultural labor and its requirements for the development of its agricultural economy and with a view toward harmonizing the agricultural cycles of the two countries. Within fifteen days after receiving the estimate, the Mexican Government will notify the Secretary of Labor of the approximate number of Mexican Workers it will make available at each Migratory Station.

The Secretary of Labor will notify the Mexican Government two weeks in advance of the date on which he desires that recruiting operations shall begin at each Migratory Station. Such notice will contain information with respect to the number of Mexican Workers that are desired from each Migratory Station and the dates within which they will be required.

The Secretary of Labor will determine which Employers are to be scheduled for contracting at specific Reception Centers. Both Governments will take all necessary action to assure that recruiting will begin on the dates agreed upon as the opening date for each Migratory Station.

Article 4

LOCATION OF MIGRATORY STATIONS AND RECEPTION CENTERS

The Government of Mexico will establish the Migratory Stations in the Republic of Mexico at Aguascalientes, Aguascalientes; Guadalajara, Jalisco; Irapuato, Guanajuato; Monterrey, Nuevo León; Chihuahua, Chihuahua; and at such other places as may be mutually agreed to by the two Governments. The United States will establish Reception Centers at or near Brownsville, Texas; Laredo, Texas; El Paso, Texas; Nogales, Arizona; and Calexico, California, and at such other places as may be mutually agreed to by the two Governments.

Article 5

SELECTION AT MIGRATORY STATIONS

It will be the responsibility of the Mexican Government to assemble prospective Workers at the Migratory Stations where qualified candidates for contracting will be selected by representatives of the Secretary of Labor after examination by the Public Health Service of Mexico and the Mexican Ministry of *Gobernación*. Workers who have not complied with the Mexican Military Service Law will not be eligible for selection. At the Migratory Station, officials of the United States Public Health Service will conduct a physical examination of each candidate to assure that he meets the mental and health requirements for admission to the United States. Officials of the United States Department of Justice will conduct an examination to determine his admissibility under the Immigration Laws of the United States. Officials of the United States Public Health Service and of the United States Department of Justice may conduct such additional examinations or investigations at the Reception Centers in the United States as they deem necessary and appropriate.

For the purpose of this Agreement, a Mexican Worker shall not be regarded as having departed from Mexico until he has been contracted.

A Mexican Worker shall not remain at a Reception Center more than five consecutive days after his arrival from Mexico, except in the case of a serious impediment.

A Mexican Worker selected at a Migratory Station can only be rejected at the Reception Center when it is determined that his admission into the United States is in contravention of the Public Health, Immigration or Internal Security Laws of the United States.

Article 6

TRANSPORTATION BETWEEN MIGRATORY STATION AND RECEPTION CENTER

The Secretary of Labor, at the expense of the United States Government, shall provide transportation for a prospective Mexican Worker selected at the Migratory Station, except Guadalajara, from such Migratory Station to the Reception Center and return to the nearest Migratory Station. The transportation of the Mexican Worker recruited at Guadalajara shall be paid by the United States Government from Hermosillo, Sonora, to the Reception Center and return to Hermosillo.

The Secretary of Labor, at the expense of the United States Government, shall also furnish the prospective Workers subsistence while awaiting transportation from the Migratory Station, except Guadalajara, to the Reception Center, while he is in transit between the Migra-

tory Station, except Guadalajara, and the Reception Center and return, and while he is at the Reception Center. Mexican Workers who are recruited at Guadalajara and who are returned to Hermosillo will be furnished subsistence while at the Reception Center and paid for subsistence while in transit between the Reception Center and Hermosillo.

Article 7

EMPLOYERS INELIGIBLE FOR CONTRACTING

Immediately after the effective date of this Agreement and from time to time thereafter, the Mexican Ministry for Foreign Relations will furnish the Secretary of Labor a list of Employers, which may be supplemented or revised, whom they consider to be ineligible to contract Mexican Workers because of failure to comply with the International Executive Agreement, approved August 1, 1949, or with any Individual Work Contract approved pursuant thereto, or with this Agreement or with any Work Contract approved pursuant to it. The Secretary of Labor may refuse to issue a certification to a prospective Employer and he may revoke any certification already issued in the following circumstances:

a) Where there has been a joint determination under Article 30 that the Employer has failed to meet his obligations under any previous contract entered into pursuant to the International Executive Agreement adopted August 1, 1949, or this Agreement; or

b) Where the Secretary of Labor has determined that the Employer has,

(1) After any certification has been issued, employed Mexican Nationals who are illegally in the United States; or

(2) After thirty days from the effective date of this Agreement, employed Mexican nationals who are illegally in the United States; or

c) Where the Secretary of Labor finds that the Employer has contracted or is endeavoring to contract Mexican Workers for another Employer who is not himself eligible to contract Mexican Workers; or

d) Where the Mexican Worker is employed or is to be employed on a farm or other establishment operated by two or more persons any of whom is ineligible to use Mexican Workers; or

e) Where the Secretary of Labor finds that housing, sanitary facilities, or drinking water is inadequate, in accordance with the terms of this Agreement. The Mexican Government may object to the housing facilities and may request application of the procedure provided for in Article 30.

Notwithstanding the provisions of a), b), c), d), and e) of this Article, the Secretary of Labor may, at his discretion and with the approval of the Mexican Government, issue a certification for an Employer to contract Mexican Workers under this Agreement and require such Employer to furnish such bond or other form of indemnity as he may deem appropriate and necessary, but no Mexican Workers shall be made available under this Agree-

ment to, nor shall any Mexican Workers made available under this Agreement be permitted to remain in the employ of, any Employer who has in his employ any Mexican national when such Employer knows or has reasonable grounds to believe or suspect or by reasonable inquiry could have ascertained that such Mexican national is not lawfully in the United States.

When the officials of both Governments responsible for the administration of this program find that an Employer utilizes the services of illegal workers, they will within a period of three days institute the necessary action so that the contracted workers may be withdrawn and transferred to another authorized Employer, and the Immigration Service, within the same period, shall proceed to the extent possible to withdraw the illegal Workers who are found on the farm and shall continue to exercise vigilance over it to avoid recurrences.

Article 8

PROHIBITION AGAINST DISCRIMINATION

Mexican Workers shall not be assigned to work in localities in which Mexicans are discriminated against because of their nationality or ancestry. Within a reasonable time after the effective date of this Agreement and from time to time thereafter, the Mexican Ministry for Foreign Relations will furnish the Secretary of Labor a listing of the communities in which it considers that discrimination against Mexicans exists. If there is concurrence by the Secretary of Labor that there is such discrimination in any such area, the United States Department of Justice will not issue the authorizations provided for in Article 10 to send Mexican Workers into such area.

If the Secretary of Labor does not concur, the appropriate Mexican Consul may request a statement signed by the Chief Executive Officer or Officers or the Chief Law Enforcement Officer of the Community in which the Mexican Workers are to be employed, pledging for the community that:

a) No discriminatory acts will be perpetrated against Mexicans in that locality; and

b) In the event that the Mexican Consul reports the existence of acts of discrimination against any Mexican because of ancestry or nationality, the local governmental officers who signed the statement will have such complaints promptly investigated and take such community and individual action as may be necessary to fulfill the community pledge.

The Mexican Government will permit employment in such areas if such pledges are furnished.

If, notwithstanding the foregoing, the Mexican Consul reports that discriminatory acts have been committed against Mexicans because of their nationality or ancestry in a locality where Mexican Workers are employed, the Mexican Consul having jurisdiction in the locality may request the Representative of the Secretary of Labor to join the Mexican Consul in a joint investigation in which event the procedure prescribed in Article 30 of this Agreement will be followed.

Article 9

PREFERENCE IN EMPLOYMENT FOR UNITED STATES WORKERS

Mexican Workers shall not be employed in the United States in any jobs for which domestic workers can be reasonably obtained or where the employment of Mexican Workers would adversely affect the wages and working conditions of domestic agricultural workers in the United States. The Secretary of Labor may refuse to issue a certificate for any Employer who he determines is not giving preference to United States domestic workers either when hiring workers or when reducing his labor force.

Whenever the Secretary of Labor determines that United States Workers are available to fill jobs for which Mexican Workers have been contracted, the Representative of the Secretary of Labor shall immediately notify the appropriate Mexican Consul and the respective Employers that certification will be withdrawn and the applicable Work Contracts terminated. The Secretary of Labor shall, to the extent practicable, transfer the Mexican Workers concerned to other agricultural employment for which United States Workers cannot reasonably be obtained. Such transfers shall be subject to the conditions of Article 27. If such transfers cannot be effected, the respective Employers shall be required to return the Mexican Workers to the Reception Centers from which they were obtained, without cost to the Mexican Workers. Whenever a Work Contract is terminated under the provisions of this Article, the Employer shall be responsible for the three-fourths guarantee provided for in Article 16 of the Work Contract for the period beginning with the day following the Mexican Worker's arrival at the place of employment and ending with the date the Work Contract is terminated but in such event the three-fourths guarantee will prevail for a period of at least six weeks, and the Employer shall pay to the Mexican Worker all other amounts due him under the Work Contract.

Article 10

REQUISITES FOR CONTRACTING

Only those Employers will be permitted to contract Mexican nationals who:

- a) Have obtained the required certification from the Secretary of Labor, and
- b) Have obtained authorization from the United States Department of Justice to bring such Mexican nationals into the United States.

Article 11

EMPLOYMENT GOVERNED BY AGREEMENT AND WORK CONTRACT

All employment of Mexican Workers legally admitted to the United States for agricultural employment shall be governed by the terms of this Agreement, including the Work Contract which is attached hereto and made a

part of the Agreement, and by the Joint Interpretations provided for in Article 37. Neither the Mexican Worker nor the Employer may individually or jointly change the Work Contract without the consent of the two Governments.

Article 12

LIMITATIONS ON EMPLOYMENT

The Mexican Worker shall be employed exclusively in agriculture as defined in Article 1 of this Agreement and only for an Employer authorized to contract for his services.

Article 13

CONTRACTING AT RECEPTION CENTER

The Work Contract shall be entered into between the Employer and the Mexican Worker under the supervision of a representative of each of the two Governments and such contracts shall be prepared in Spanish and in English. Such Worker shall be free to except or decline employment with any Employer and to choose the type of agricultural employment he desires. The Employer shall be free to offer agricultural employment to any such Worker not under contract with another Employer.

Article 14

DURATION OF CONTRACT

No Work Contract shall be negotiated for a period of less than six weeks, nor more than six months.

Article 15

WAGES

The Employer shall pay wages to a Mexican Worker in the manner prevailing in the area of employment and at the rate specified in the Work Contract or at a rate not less than the rate prevailing at the time in question for similar work performed in the area by domestic agricultural workers, whichever is the greater.

In no case shall the Secretary of Labor make a certification on the basis of any job order which specifies a wage rate found by the Secretary of Labor to be insufficient to cover the Mexican Worker's normal living needs. No certification will be issued by the Secretary of Labor under Article 10 of this Agreement on the basis of a job order specifying a wage rate which the Secretary of Labor finds has been adversely affected by the employment of illegal workers in the area.

The Mexican Consuls and the Representatives of the Secretary of Labor shall exercise vigilance to insure that the wage rate offered to the Mexican Worker is not less than the prevailing wage rate for similar work in the area of employment and that wages are paid to the Mexican Workers in accordance with such rate or in accordance with any increases in such rate which may become effective in the area during the period of employment.

Article 16

GUARANTEE OF WORK

Except as otherwise provided in this Agreement, or in the Work Contract, the Employer shall guarantee the Mexican Worker the opportunity to work for at least three-fourths of the workdays of the total period during which the Work Contract and all extensions thereof are in effect, beginning on the day after such Worker's arrival at the place of employment and ending on the expiration date specified in the Work Contract or its extensions, if any.

Article 17

TRANSPORTATION BETWEEN RECEPTION CENTER AND PLACE OF EMPLOYMENT

Subject to the provisions of Article 32, the Employer shall at his expense provide the Mexican Worker transportation and subsistence between the Reception Center at which he contracts such Worker and the place of employment and in addition shall, upon the expiration or termination of any Work Contract for any reason whatsoever, pay to the United States such amounts for transportation and subsistence between the Migratory Station and Reception Center as may be agreed upon between the Employer and the United States. With respect to the transportation of Mexican Workers, the Employer shall comply with the conditions and standards issued jointly by the Governments of the United States and Mexico.

Article 18

MAINTENANCE OF RECORDS BY EMPLOYER

Each Employer shall keep minimum records in regard to the earnings and hours of employment of the Mexican Worker in his employ in such form as may be prescribed by the Secretary of Labor. The Employer shall make such records available at any reasonable time for inspection by the Representative of the Secretary of Labor, or the Representative of the Mexican Consulate when accompanied by the Representatives of the Secretary of Labor.

Article 19

OCCUPATIONAL INJURIES AND DISEASES

The Employer shall provide for the Mexican Worker, at no cost to such Worker, the guarantees with respect to medical care and compensation for Personal Injury and Disease provided in Article 3 of the Work Contract.

Article 20

NOTIFICATION OF ILLNESS, DEATH OR ABANDONMENT OF WORK

The Employer shall promptly notify the Representative of the Secretary of Labor and the appropriate Mexican Consul of all cases of death of Mexican Workers, whether from natural causes or accidental, serious illness, serious accident, and all cases of abandonment of their contracts by Mexican Workers.

Article 21

REPRESENTATIVES OF MEXICAN WORKER

The Mexican Workers shall enjoy the right to elect their own representative who shall be recognized as such by the Employer for the purpose of maintaining contact between the Workers and the Employer.

Article 22

STRIKE OR LOCKOUTS

No Mexican Worker shall be used to fill any job which the Secretary of Labor finds is vacant because the occupant is out on strike or locked out in the course of a labor dispute.

In the event of a strike or lockout on the farm or in the establishment in which Mexican Workers are employed which seriously affects the operations in which they are engaged, the Secretary of Labor shall make special efforts to transfer such Workers to other agricultural employment and give them preference over all other Mexican Workers. If no transfer can be arranged, the Secretary of Labor shall, without regard to Article 30, withdraw the certification covering them, in which event their respective Work Contracts shall be terminated. The Employer's obligation under Article 10 of the Work Contract shall apply only for the period beginning with the day after the Mexican Worker's arrival at the place of employment and ending with the date the Work Contract is terminated under this Article.

Article 23

OFFICIAL INSPECTIONS

The Employer shall permit the representative of the Secretary of Labor, and officials of the United States Department of Justice access to the place of employment of Mexican Workers when necessary for these officials to carry out their responsibilities under this Agreement and under the Immigration laws of the United States.

The appropriate Mexican Consul, when exercising his rights under the Consular Convention between the United States of America and the United Mexican State formalized by the two Governments on August 12, 1942, shall be given access to the place of employment of the Mexican Worker. It is intended that the visits of Mexican Consuls under this Article be coordinated with the appropriate Representatives of the Secretary of Labor.

The refusal of any Employer to permit these officials access to the place of employment shall constitute a violation of this Agreement, the Secretary of Labor may revoke the certifications issued under Article 10, and the United States Department of Justice may withdraw the authority under which the Employer was permitted to contract the Mexican Workers. The Mexican Workers shall be transferred to another Employer if such transfer can be arranged. Such transfer shall be subject to the provisions of Article 27 of this Agreement. The violating Employer shall be liable for all of the conditions of the Work Contract including the three-fourths guarantee beginning with the day after the arrival of the Mexican

Worker at his place of employment and terminating with the expiration date specified in the Work Contract.

Article 24

TERMINATION OF WORK CONTRACT PRIOR TO EXPIRATION DATE

Except as otherwise provided in this Agreement and in the Work Contract, a Work Contract may be terminated prior to its expiration date only after having complied with the provisions of Article 30.

Article 25

TERMINATION FOR REASONS BEYOND EMPLOYER'S CONTROL

If before the expiration date herein specified the services of the Mexican Worker are no longer required for reasons beyond the control of the Employer, the Employer shall so notify in writing the appropriate Representative of the Secretary of Labor, the United States Department of Justice, the Mexican Worker and the appropriate Mexican Consul. The Secretary of Labor shall cause an investigation to be made of the situation and if he finds that the Mexican Worker is no longer needed, the Mexican Consul shall be so notified. If the Mexican Consul objects to the finding, he shall immediately so inform the Secretary of Labor and arrange for a joint investigation and determination to be made in accordance with Article 30 of the Migrant Labor Agreement of 1951. The joint investigation shall be directed solely at determining whether the services of the Mexican Worker are no longer required for reasons beyond the control of the Employer. If this fact is jointly determined by the Mexican Consul and the Representative of the Secretary of Labor, the Secretary of Labor shall endeavor, subject to the provisions of Article 27 of the Migrant Labor Agreement of 1951, to transfer the Mexican Worker to other agricultural employment for which domestic Workers cannot reasonably be obtained. If such transfer cannot be effected, the Secretary of Labor shall, after notification to the Mexican Consul, terminate the Contract and the Mexican Worker shall be returned to the Reception Center at the Employer's expense.

Whenever the Work Contract is terminated under the provisions of this Article, the Employer shall be responsible for the three-fourths guarantee provided for in Article 16 for the period beginning with the day following the Mexican Worker's arrival at the place of employment and ending with the date the contract is terminated and the Employer shall pay to the Mexican Worker all other amounts due under this Work Contract. The Work Contract will not be terminated prior to its expiration date due to the premature termination of agricultural work unless the Employer can demonstrate to the satisfaction of the Representative of the Secretary of Labor and the Mexican Consul that he could not reasonably have anticipated the events which obviate the need for the Mexican Worker's services.

Article 26

EXTENSION OF CONTRACTS

The Work Contract may be extended for additional periods with the consent of the Mexican Worker, the Consul of Mexico, and the Secretary of Labor; but no Work Contract nor any extension thereof shall remain in effect beyond the expiration date of this Agreement; and no such Worker shall remain in the United States for a period exceeding one year.

Article 27

TRANSFER OF MEXICAN WORKERS

a) A Mexican Worker may be transferred from the area of employment specified in the certification to another area provided that:

- (1) The Worker expresses his consent;
- (2) There has been a prior certification of the Secretary of Labor;
- (3) The Mexican Consul having jurisdiction over the area from which the transfer is contemplated has been given notice of the intention to transfer; and
- (4) The Mexican Ministry for Foreign Relations does not raise any objection pursuant to Article 8 of this Agreement within ten days after notification as required by paragraph (3) above.

b) If the transfer of the Worker involves a change of Employer before the expiration of the work period specified in the contract, the following additional requirements shall be met:

- (1) The Worker has been employed for not less than six weeks;
- (2) The new Employer, who shall be an Employer who would be eligible to contract Workers, shall enter into a Work Contract with the Worker;
- (3) Before the transfer of the Worker is effected, the transferring Employer shall pay to the Worker all sums due him, in accordance with the terms of the Work Contract and this Agreement; and
- (4) The Mexican Ministry for Foreign Relations does not raise any objections pursuant to Article 7 of this Agreement within ten days after notification to the appropriate Mexican Consul.

When a Worker is transferred from one place of employment to another and the transfer does not involve a change of Employer, the three-fourths guarantee specified in Article 10 of the Work Contract will be applied to the total period of employment with the same Employer.

Article 28

VERIFICATION OF PAYMENT OF AMOUNTS DUE MEXICAN WORKER

The Mexican Consulate and the Representative of the Secretary of Labor will be given a reasonable opportunity to ascertain that the Mexican Worker has been paid all

amounts due him under the Work Contract or this Agreement before the Worker is transferred pursuant to the provisions of Article 27 of this Agreement or is returned to the Reception Center upon expiration or termination of the Work Contract.

Article 29

LIMITATION ON SETTLEMENT OF CLAIMS

No negotiations shall be conducted with any Employer for the settlement of any claim filed by a Mexican Worker against such Employer unless the appropriate Mexican Consul and the Representative of the Secretary of Labor participate in such negotiations and approve the settlement of the claim.

Article 30

ENFORCEMENT PROCEDURE

Investigations relating to compliance with this Agreement and the Work Contract shall be made in accordance with the following procedure:

a) Where the Representative of the Secretary of Labor, through inspections, or otherwise, ascertains that a violation of the Work Contract or Agreement has occurred, either on the part of the Employer or the Mexican Worker, he will bring such violation to the attention of that party and request that corrective measures be taken immediately;

b) If such party fails or refuses to comply with the request, the Representative of the Secretary of Labor will inform immediately the appropriate Mexican Consul of such alleged violation for the purpose of conducting a joint investigation with respect to it;

c) If through such joint investigation, it is determined that a violation exists and that the violating party is an Employer who fails to take the necessary corrective measure in compliance with such joint determination, the Secretary of Labor may, or upon the request of the Mexican Consul shall, revoke the certification. Such revocation shall constitute termination of the Work Contract and the Employer will be required to pay all of his obligations under the Contract. In such cases the three-fourths guarantee provided in Article 16 of the Work Contract shall apply to the full duration of the Contract, beginning with the day after the Mexican Worker's arrival at the place of employment and ending with the expiration date specified in the Contract;

d) If the violating party is a Mexican Worker and he refuses to take corrective measures, the Employer may terminate the Work Contract and, without cost to the Mexican Worker, return him to the appropriate Reception Center. Any such Worker shall not be entitled to the three-fourths guarantee for any portion of his contract and shall not be eligible for future contracting or recontracting.

e) If a complaint from a Mexican Worker is received by the Secretary of Labor either direct or through the appropriate Mexican Consul, the Secretary of Labor shall cause a preliminary investigation,

or upon the request of the Mexican Consul, a joint investigation to be made.

f) If a preliminary investigation indicates no violation, the Secretary of Labor shall advise the appropriate Mexican Consul of his findings.

(1) The Mexican Consul will then determine whether he desires a joint investigation to be made. If the Mexican Consul desires a joint investigation, he will so notify the Representative of the Secretary of Labor and such joint investigation will be conducted without delay.

(2) If it is jointly determined by such investigation that a complaint is justified and that the Employer fails or refuses to take the necessary remedial steps, the Secretary of Labor may, or upon the request of the Mexican Consul, shall revoke the certification. Such revocation shall constitute termination of the Work Contract and the Employer will be required to pay all his obligations under it. In such cases, the three-fourths guarantee provided in Article 10 of the Work Contract shall apply to the full duration of the Contract beginning with the day after the arrival of the Mexican Worker at the place of employment and ending with the termination date specified in the Contract.

g) Where the Secretary of Labor receives a complaint from an Employer that the Mexican Worker's services are unsatisfactory, the procedure specified in paragraph (2) above shall be followed except that the Employer, at his request, shall have the right to a joint investigation of his complaint. If it is jointly determined, in accordance with such procedure, that the Employer's complaint is justified, the Employer, on the basis of such determination, may, within five days, terminate the Work Contract, notify the appropriate Mexican Consul and the Representative of the Secretary of Labor of such termination, and, without cost to the Mexican Worker, return him to the appropriate Reception Center.

h) Investigations at the regional level shall be completed and determinations by the Mexican Consul and the Regional Representative of the Secretary of Labor shall be made not later than ten days after the receipt of the complaint by the Regional Representative of the Secretary of Labor.

(1) In any case in which the Regional Representative of the Secretary of Labor and the Mexican Consul cannot reach a joint determination with respect to an alleged violation, the dispute shall be referred without delay by the Regional Representative of the Secretary of Labor and the appropriate Mexican Consul General to the Secretary of Labor and the Representative of the Mexican Government in Washington, respectively, and these latter officials shall review the facts and render a final joint determination thereon.

(2) If either of the affected parties are dissatisfied with the joint determination made by the Regional Representative and the Mexican Consul, he may request a review of such decision, provided he gives written notice (the Employer to the Secretary of

Labor and the Mexican Worker to the appropriate Mexican Consul) of his objections within five days after receipt of the decision. If such review is requested, the dispute shall be referred, without delay, to Washington for a final joint determination in accordance with the procedure mentioned in the preceding paragraphs.

i) During the course of any investigation and until the procedure provided for in this Article has been exhausted, the *status quo* will be preserved in so far as practicable, unless the Secretary of Labor's Representative and the appropriate Mexican Consul otherwise agree.

j) Any Employer or Mexican Worker who has a complaint under this Agreement shall follow the procedure established in this Article.

Article 31

DEPARTURE THROUGH RECEPTION CENTERS

Except as may otherwise be required by the laws of the United States, any Mexican Worker leaving the United States under conditions other than those provided for in this Agreement or the Work Contract shall be returned to Mexico by the Department of Justice through a Reception Center.

Article 32

GUARANTEES BY UNITED STATES GOVERNMENT

The Government of the United States guarantees the performance by Employers of the provisions of this Agreement and Work Contract relating to the payment of Wages and the furnishing of transportation. The Employer shall agree that the Secretary of Labor's determinations as to the Employer's indebtedness for Wages and transportation costs shall be final and binding upon him. The Government of the United States shall, with respect to any such amounts found to be due from a defaulting Employer, pay to the Mexican Worker the amounts determined to be due him within twenty days after the final determination has been made as to the Employer's indebtedness, or as promptly as possible thereafter.

Article 33

APPLICABILITY OF CONSULAR CONVENTIONS

Article IX of the Consular Convention between the United States of America and the United Mexican States formalized by the two Governments on August 12, 1942, shall apply to Mexican Workers with respect to all rights established therein.

Article 34

EXEMPTION FROM MILITARY SERVICE

Mexican Workers who enter the United States of America under the terms of this Agreement shall not be required to register for military service in that country and they shall not be accepted for military service. Form I-100, issued to each Mexican Worker by the United States Department of Justice, shall constitute the proper identification to the local Selective Service Boards for exemption

of such Mexican Workers from registration and from military service.

Article 35

PROTECTION OF RIGHTS UNDER UNITED STATES LAW

The Government of the United States of America agrees to exercise special vigilance and its moral influence with state and local authorities, to the end that Mexican Workers may enjoy impartially and expeditiously the rights which the laws of the United States grant to them.

Article 36

EXCLUSION OF INTERMEDIARIES

In no case shall private employment or labor contracting agencies operating for profit be permitted to participate in the contracting of Mexican Workers.

Article 37

JOINT INTERPRETATIONS

The two Governments will issue joint interpretations of the Agreement and the Work Contract whenever they deem it necessary and such interpretations shall be binding on the Representatives of both Governments, the Mexican Worker and the Employer.

Article 38

GOVERNMENT ACTION TO SUPPRESS ILLEGAL ENTRY

Both Governments acknowledge that the illegal traffic or the illegal entry of Mexican nationals is an element which impedes the effective functioning of this Agreement. Accordingly, they agree to enforce to the fullest extent the provision of their respective applicable laws and to take all possible additional measures for the elimination of such illegal traffic and entry across the International Boundary.

Article 39

TRANSITIONAL PROVISIONS

This Agreement shall govern all Work Contracts entered into or performed in whole or in part after the effective date of this Agreement except:

a) Work Contracts entered into prior to the effective date of this Agreement without provisions for reopening, and

b) Work Contracts entered into prior to the effective date of this Agreement which contain a provision authorizing their renegotiation unless they are renegotiated in accordance with their terms.

Article 40

DURATION OF AGREEMENT

The present Agreement shall enter into force by an exchange of notes between the two Governments and shall continue in effect for a period of six months thereafter.

Done in duplicate, in the English and Spanish languages at Mexico, D. F., Mexico, this 11th day of August, 1951.

STANDARD WORK CONTRACT

Incorporation by reference

1. This Work Contract is subject to the provisions of the Migrant Labor Agreement of 1951 and the provisions of that Agreement are specifically incorporated herein by reference.

Lodging

2. The Employer agrees to furnish the Mexican Worker, without cost to such Worker, hygienic lodgings adequate to the climatic conditions of the area of employment and not inferior to those of the average type which are generally furnished to domestic agricultural workers in such area. Such lodgings shall include blankets when necessary, and beds and mattresses or cots. Mexican Workers may not be assigned to any lodging quarters in such numbers as will result in overcrowding of the premises. Adequate sanitary facilities to accommodate them shall also be furnished by the Employer.

Where it is jointly determined under the provisions of Article 30 of the Migrant Labor Agreement of 1951 that the Employer has failed to furnish adequate lodgings as required by the provisions of this Article and the Secretary of Labor revokes the certification issued pursuant to Article 7 of such Agreement, the Employer shall be required to pay all his obligations under this Contract. In such cases the three-fourths guarantee provided in Article 10 of this Contract shall apply to the full duration of the Contract beginning with the day after arrival at the place of employment and ending with the termination date specified therein.

Occupational risks

3. The Employer shall provide for the Mexican Worker, at no cost to such Worker, the same guarantees with respect to medical care and compensation for Personal Injury and Disease as defined in Article 1 of the Migrant Labor Agreement of 1951 as may be provided in like cases for domestic agricultural workers under the applicable state law for the state in which such Worker is employed when such Personal Injury or Disease is contracted.

In the absence of applicable state law, the Employer shall either obtain an insurance policy with a company satisfactory to the Mexican Government or furnish to the Mexican Government an indemnity bond to secure the payment of benefits, including medical, surgical and other necessary care and treatment provided for in this Article. If the Employer can establish sufficient financial responsibility for the payment of benefits to the satisfaction of the Mexican Government, he may assume such obligations himself as self insurer and without such bond. Any bond furnished under the provisions of this Article shall be obtained from a surety company recognized by the United

States Treasury as authorized to secure Government obligations. Benefits for the Mexican Worker shall, under such insuring arrangements, be no less favorable than the following schedule:

Death	\$1,000
Permanent and total disability	1,000
Loss of—	
Both hands	1,000
Both feet	1,000
Sight of both eyes	1,000
One hand and one foot	1,000
One hand and sight of one eye	1,000
One foot and sight of one eye	1,000
One hand or one foot	500
Sight of one eye	500
Total loss of a digit	50
Partial loss of a digit	25

Cases not covered by the above schedule shall be resolved between the Mexican Worker, with the advice of the appropriate Mexican Consul, and the Employer in a spirit of equity and justice or by judicial decision.

The Employer further agrees to pay for all expenses for hospital, medicines, medical and surgical attention, and other similar services necessitated by Personal Injury or Disease.

In cases not covered by applicable state law, the Mexican Worker who sustains Personal Injury or Disease shall notify the Employer thereof personally or through a representative, orally or in writing, within thirty days after the Personal Injury or Disease has manifested itself or before the Worker's return to Mexico, whichever is the sooner.

Failure to give such notice shall relieve the Employer of liability for non-statutory benefits herein provided. Such notice shall not be required in cases in which the Employer has knowledge of the occurrence of such Injury or Disease.

It shall be the responsibility and duty of the Employer to notify his Mexican Workers of the time limitation within which such notice must be given to the Employer as herein provided, or as provided for by applicable state law. Failure of the Employer to so notify the Mexican Worker either before or after occurrence of such Personal Injury or Disease shall constitute a waiver of any notice requirement under this Contract and the Employer agrees not to raise objection to lack of timely notice of Personal Injury or Disease required under any applicable State Law.

Payment of wages

4. The Employer shall pay the Mexican Worker not less than the prevailing Wage Rate paid at the time the

work is performed for similar work to domestic agricultural workers, and in the manner paid, within the area of employment or the Wages specified on the last page of this Contract, whichever is the greater.

Where higher wages are paid for specialized tasks such as the operation of vehicles or machinery, the Mexican Worker shall be paid such Wages while assigned to such tasks.

A Mexican Worker who does not work on Sunday will receive no Wages for that day, it being understood that, in determining the wage scale, the payment of the Seventh Day, established by Federal Law in Mexico, has already been included, as is customary in the United States. If such a Worker nevertheless performs work on Sunday, he shall be paid for such Sunday work at not less than the prevailing wage rate paid for similar work performed on Sunday in the area of employment.

Where the prevailing practice is to pay workers on a piece-rate basis, the Mexican Worker shall be paid for the first forty-eight hours of employment in each type of work not less than the initial hourly rate specified in the Contract, or the piece-work Wage Rate, whichever is the greater. After completion of the first forty-eight hour period of employment in work requiring reasonably similar skills, the Mexican Worker shall thereafter be paid on a straight piece-rate basis.

Whenever the Mexican Worker is assigned to work in which the skill requirements are not reasonably similar to any previous work which he has performed for forty-eight hours or more, the 48-hour guarantee shall apply to the new work to which he has been assigned.

The minimum hourly Wage Rate for the first forty-eight hours of employment provided for in this Article shall not apply either to extensions of the Work Contract or to a new Work Contract negotiated in connection with a transfer between Employers except where the work in which the skill requirements are not reasonably similar to any previous work which the Mexican Worker has performed for forty-eight hours or more.

The pay period for the Mexican Worker shall be established at intervals no less frequent than those established for the Employer's domestic workers; provided that in no event shall the Worker be paid less frequently than bi-weekly.

Tools and equipment

5. The Employer shall furnish the Mexican Worker, without cost to such Worker, all the tools, supplies or equipment required to perform the duties assigned to him under this Contract.

Deductions

6. No deductions shall be made from the Mexican Worker's wages except as provided in this Article. The Employer may make the following deductions only:

- a) Those provided by law;
- b) Advances against Wages;
- c) Payment for articles of consumption produced by the Employer which may have been purchased voluntarily by the Mexican Worker;
- d) The value of meals supplied by the Employer, provided that the charge to the Mexican Worker shall

be at cost to the Employer but in no event shall costs exceed \$1.75 per day for three meals;

e) Overpayment of Wages;

f) Any loss to the Employer due to the Mexican Worker's refusal or negligent failure to return any property furnished to him by the Employer or due to such Worker's willful damage or destruction of such property; provided that in no case shall such loss exceed the reasonable value of such property at the time furnished to such Worker less normal wear and tear and, in the case of damaged property, its reasonable value at the time furnished less normal wear and tear and less its reasonable value when returned to the Employer;

g) For insurance premiums when authorized by the Mexican Government under an insurance plan covering non-occupational injuries and disease when such plan has been approved by that Government.

The deductions under b), c), e), and f) in each pay period shall not exceed ten per cent of the total amount of Wages earned in that pay period; provided, that the Employer may deduct not in excess of fifty per cent of the Mexican Worker's Wages for any pay period for advances to the Mexican Worker upon the Mexican Worker's arrival at the place of employment for food and necessary clothing; provided further, that at the termination of the Work Contract, or if the Mexican Worker abandons his Contract, the Employer may deduct from such Worker's final Wage payment any debts which may be due the Employer under subparagraphs b), c), d), e) and f) of this Article at the time the Contract is abandoned or terminated.

Transportation

7. Transportation of the Mexican Worker from the Reception Center at which he was contracted to the place of employment and return to the Reception Center, as well as food, lodging and other necessary expenses en route, including up to thirty-five kilograms of personal articles, but not including furniture, shall be paid by the Employer.

All transportation between the Reception Center and the place of employment shall be by common carrier or other adequate transportation facilities provided that such other transportation facilities, when used to transport Mexican Workers, shall have sufficient and adequate fixed seats for the transportation of passengers and adequate protection against inclement weather, meet the same safety requirements that are applicable to common carriers, and are covered by adequate insurance to protect such Workers from injuries resulting from accidents en route. When Mexican Workers are transported by rail, the Employer shall not be required to provide first-class railroad accommodations.

The failure of any Employer to comply with the requirements of this Article and the Joint Interpretations thereof in the furnishing of transportation to the Mexican Worker shall constitute a violation of the Work Contract.

Water and fuel

8. The Employer shall furnish potable water to the Mexican Worker without cost to him in sufficient amount

to satisfy his needs and at a reasonable distance from the place at which he is performing his work and from the place of lodging assigned to him by the Employer. When fuel for heating is necessary, the Employer shall furnish sufficient fuel ready for use for the adequate heating of the Mexican Worker's quarters, without cost to such Worker.

Length of agreement

9. The duration of this Work Contract shall be for the period of time indicated herein and only in case the Mexican Worker may not have completed the specific job assigned to him may he be retained, with his consent, for a period of not more than two weeks after its expiration date without being recontracted. The work period under this Work Contract shall begin on the day following the Mexican Worker's arrival at the place of employment in the United States.

The Employer shall, after the expiration of the Work Contract, return the Mexican Worker to the Reception Center from which he was obtained as promptly as possible, but in no event later than fifteen days after the expiration date. While waiting for return transportation, the Mexican Worker shall be furnished subsistence at the expense of the Employer. The Employer agrees to give the appropriate Mexican Consul and the Representative of the Secretary of Labor ten days advance notice of the completion of any Work Contract.

Employment guarantee

10. Except as otherwise provided in this Work Contract or in the Migrant Labor Agreement of 1951, the Employer guarantees the Mexican Worker the opportunity for employment for at least three-fourths of the work days of the total period during which the Work Contract and all extensions thereof are in effect, beginning with the day after the Mexican Worker's arrival at the place of employment and ending on the termination date specified in this Work Contract or its extensions, if any.

If the Employer affords the Mexican Worker, during such period, less employment than required under this provision, such Worker shall be paid the amount which he would have earned had he, in fact worked for the guaranteed number of days. For the purpose of computing the guarantee under this Article, eight hours shall be considered a work day, provided that any day that such Worker is absent on furlough authorized in accordance with Article 13 of this Contract shall not be considered a work day within the meaning of this Article. Where wages are paid on a piece-rate basis, the Mexican Worker's average hourly earnings shall be used for the purpose of computing the amount due such Worker under this guarantee period.

In determining whether the guarantee of employment provided for in this Article has been met, any hours which the Mexican Worker fails to work during the eight-hour day, except Sunday, when he is afforded the opportunity to do so by the Employer and all hours of work performed, shall be counted in calculating the days of employment required to meet the satisfaction of this guarantee.

For each work day (except Sunday,) on which the Mexican Worker is willing and physically able to work and is not provided the opportunity for employment in excess of four hours, he will receive wages for the work actually performed during any such day and in addition subsistence, without cost to him. Subsistence is defined as three meals per day or, where the Mexican Worker has under Article 12 of this Contract elected not to eat at the Employer's restaurant facilities, their equivalent in cash.

Right to purchase at place of choice

11. The Mexican Worker shall be free to purchase articles for his personal use, in places of his own choice and shall be given an opportunity, once each week, to go to locations where he can obtain the articles desired.

Where the location of employment is not within walking distance of the town offering the desired articles and public transportation is not available, the Employer will make arrangements for transportation.

Meals

12. The Employer, when he maintains the necessary facilities, shall provide meals to the Mexican Workers on the same basis as he provides such facilities to domestic workers. When the Employer furnishes meals to the Mexican Worker, they shall be furnished at cost, but in no event shall the charge to the Mexican Worker exceed \$1.75 for three meals.

The Mexican Worker, within one week after his arrival at the place of employment, shall decide whether he wishes to obtain his meals at the restaurant of the Employer, when the Employer maintains that facility, or whether he desires to prepare his own meals. If the Mexican Worker elects to prepare his own meals, the Employer shall not be responsible for furnishing him with utensils and facilities. Where, however, the Employer does not furnish restaurant facilities, he shall furnish, without cost to the Mexican Worker, necessary cooking utensils and facilities, including fuel ready for use for cooking purposes.

Furlough provisions

13. Furloughs for Mexican Workers will be granted in individual cases with the approval of the Employer, the Representative of the Secretary of Labor and the appropriate Mexican Consul. Neither the Employer nor the United States Government shall be required to pay the transportation expenses of Mexican Workers to or from Mexico in connection with furloughs.

Discrimination in employment

14. The Employer shall not practice social or economic discrimination in conditions of employment against the Mexican Worker.

Responsibility of the Mexican Worker

15. The Mexican Worker shall not, except as otherwise specified in this Work Contract and in the Migrant Labor Agreement of 1951, accept employment with other than the contracting Employer and shall perform all agricultural work required of him with proper application, care

and diligence, during the period of employment specified herein under the direction and supervision of the Employer. The Mexican Worker shall not be required to work on Sunday.

Whenever it is determined pursuant to Article 30 of the Migrant Labor Agreement of 1951 that the Mexican Worker has not complied with the provisions of this Contract, he shall not be entitled to the three-fourths guarantee provided in Article 10 of this Contract.

Extension of contract and transfer of workers

16. This Work Contract may be extended in accordance with and subject to the provisions of Article 26 of the Migrant Labor Agreement of 1951, and transfer of Mexican Workers between Employers may be effected subject to Article 27 of that Agreement.

Worker representation

17. Mexican Workers employed under this Work Contract shall have the right to elect their own representatives to maintain contact between themselves and the Employers, and the latter must recognize them as such, provided that this Article shall not prohibit the Mexican Worker from individually contacting his Employer, representatives of the Mexican Consul or Representatives of the Secretary of Labor with respect to his employment under this Contract.

Inspections by Government representatives

18. The Employer agrees to give the appropriate Representatives of the Secretary of Labor, and to officials of the Department of Justice, access to the place of employment of Mexican Workers necessary for those officials to carry out their responsibilities under the Migrant Labor Agreement of 1951 and under the Immigration laws of the United States. The appropriate Mexican Consul, when exercising his rights under the Consular Convention between the United States of America and the United Mexican States formalized by the two Governments on August 12, 1942, shall be given access to the place of employment of the Mexican Worker. It is intended that the visits of Mexican Consuls under this Article be coordinated with the appropriate Representative of the Secretary of Labor. The refusal of any Employer to permit those officials access to the place of employment shall constitute a violation of this Work Contract and the Migrant Labor Agreement of 1951.

Records of employment

19. The Employer agrees to keep minimum records in regard to the earnings and hours of employment of each Mexican Worker and in such form as may be prescribed by the Secretary of Labor. Such records shall include, but shall not be limited to, information concerning the number of hours worked each day, the rate of pay, the amount of work each day when piece-work is performed and the days on which he received subsistence because he was unable to work more than four hours because of inclement weather or because he was not afforded the opportunity to work more than four hours. The Employer shall make such records available at any reasonable time for inspection by the Representative of the Mexican Consul when accompanied by the Representative of the Secretary of Labor, or the Representative of the Secretary of Labor.

Documentation costs

20. The Employer agrees that he will pay all documentation costs necessary for the entry of the Mexican Worker to the United States.

Joint determination

21. The Employer and the Mexican Worker mutually agree to be bound by the joint determinations of the Secretary of Labor and the representative of the Mexican Government in Washington pursuant to Article 30 of the Migrant Labor Agreement of 1951.

Beneficiaries of Mexican Worker

22. The person or persons designated in this Work Contract by the Mexican Worker as his economic dependents shall be the beneficiaries of any sums to which he, or they, may be entitled under this Work Contract or the Migrant Labor Agreement of 1951. Any sums which may become payable to such beneficiaries shall be paid in accordance with Article IX of the Consular Convention in force between the United States of America and the United Mexican States.

Protection from immoral and illegal influences

23. The Employer agrees to take all reasonable steps to keep professional gamblers, vendors of intoxicating liquors and other persons engaged in immoral and illegal activities away from the Mexican Worker's place of employment.